

AGENDA

REGULAR COUNCIL MEETING
TUESDAY
OCTOBER 2, 2012

COUNCIL CHAMBERS
211 WEST ASPEN AVENUE
6:00 P.M.

The 4:00 p.m. portion of the October 2, 2012, has been cancelled.
All items will be discussed at the 6:00 p.m. meeting.

6:00 P.M. MEETING

NOTICE OF OPTION TO RECESS INTO EXECUTIVE SESSION

Pursuant to A.R.S. §38-431.02, notice is hereby given to the members of the City Council and to the general public that, at this regular meeting, the City Council may vote to go into executive session, which will not be open to the public, for legal advice and discussion with the City's attorneys for legal advice on any item listed on the following agenda, pursuant to A.R.S. §38-431.03(A)(3).

1. **CALL TO ORDER**

2. **ROLL CALL**

MAYOR NABOURS

VICE MAYOR EVANS

COUNCILMEMBER BAROTZ

COUNCILMEMBER BREWSTER

COUNCILMEMBER ORAVITS

COUNCILMEMBER OVERTON

COUNCILMEMBER WOODSON

3. **PUBLIC PARTICIPATION**

Public Participation enables the public to address the Council about an item that is not on the agenda. Comments relating to items that are on the agenda will be taken at the time that the item is discussed. If you wish to address the Council at tonight's meeting, please complete a comment card and submit it to the recording clerk as soon as possible. Your name will be called when it is your turn to speak. You may address the Council up to three times throughout the meeting, including comments made during Public Participation. Please limit your remarks to three minutes per item to allow everyone an opportunity to speak. At the discretion of the Chair, ten or more persons present at the meeting and wishing to speak may appoint a representative who may have no more than fifteen minutes to speak.

4. **CONSENT ITEMS**

ALL MATTERS UNDER 'CONSENT AGENDA' ARE CONSIDERED BY THE CITY COUNCIL TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION APPROVING THE RECOMMENDATIONS LISTED ON THE AGENDA. UNLESS OTHERWISE INDICATED, EXPENDITURES APPROVED BY COUNCIL ARE BUDGETED ITEMS.

None submitted

5. **APPOINTMENTS**

**A. Consideration of Appointments: Regional Plan Citizen Advisory Committee
RECOMMENDED ACTION:**

Discussion and possible appointment

6. REGULAR AGENDA**A. Consideration and Possible Adoption of Changes to Title 1, Chapter 14, *Personnel System*, of the Flagstaff City Code:**

- i. Resolution No. 2012-33: A resolution of the City Council of the City of Flagstaff, Arizona declaring as a Public Record that certain document filed with the City Clerk and entitled "The 2012 Addendum 4 to the Flagstaff Employee Handbook of Regulations"
- ii. Ordinance No. 2012-14: An ordinance of the City Council of the City of Flagstaff amending the Flagstaff City Code, Title 1, *Administrative*, Chapter 14, *Personnel System*, Section 1-14-001-0001, *Personnel System Adopted*; adopting the *Flagstaff Employee Handbook of Regulations* by reference, relating to policies and procedures concerning equal employment opportunity, affirmative action, non-discrimination and anti-harassment, Americans with Disabilities Act, complaints, grievances, probationary employees, performance evaluations and reductions in force; providing for penalties, repeal of conflicting ordinances, severability, authority for clerical corrections and establishing an effective date.

RECOMMENDED ACTION:

- Adopt Resolution No. 2012-33.
- Read Ordinance No. 2012-14 for final time by title only.
- Adopt Ordinance No. 2012-14.

B. Consideration and Adoption of Resolution No. 2012-35: A resolution of the City Council of the City of Flagstaff, Arizona repealing Resolution No. 2011-09 and approving new Guidelines for Special Events.**RECOMMENDED ACTION:**

- Read Resolution No. 2012-35 by title only.
- Adopt Resolution No. 2012-35.

C. Consideration and Possible Adoption of Ordinance No. 2012-15 and approval of Amendment Two to the Homebuyer Services Agreement with BOTHANDS, INC:

- i. An ordinance authorizing the City of Flagstaff to sell the almost completed improvements to real property located at 2374, 2366, 2358 and 2350 North Izabel Street to qualified homebuyers and to execute 99 year leases for the use of the land.
- ii. Approval of Amendment Two to the existing Homebuyer Services Agreement with BOTHANDS, INC for marketing and technical services associated with the sale of the units.

RECOMMENDED ACTION:

- Authorize the City of Flagstaff to enter into agreements for the sale of the improvements to real property located at 2374, 2366, 2350 and 2358 Izabel Street and execute 99-year leases for the use of the land.
- Read Ordinance No. 2012-15 for the first time by title only.
- Read Ordinance No. 2012-15 for the final time by title only. (This requires a unanimous vote of the Councilmembers present. Charter, Art. VII, Sec. 6)
- Adopt Ordinance No. 2012-15.
- Authorize the City Manager or designated staff to sign all documents necessary to carry out the provisions of Ordinance No. 2012-15.
- Approve Amendment Two to the existing Agreement for Homebuyer Services with BOTHANDS, INC.

- D. **Consideration and Approval of Street Closure(s):** 2013 Dew Downtown Flagstaff Urban Snowboard and Ski Festival and **Consideration and Approval of Amplification Exception:** 2013 Dew Downtown Flagstaff Urban Snowboard and Ski Festival.

RECOMMENDED ACTION:

- Approve the street closure of San Francisco Street between Birch and Dale avenues on February 7, 2013, at 8:00 p.m. through February 10, 2013, at midnight; and
- Approve the amplification exception that allows for calling out play by play and starting box commentating for contestants to occur on Sunday, February 10, 2013, between the hours of 9:00 a.m. and 12:00 noon.

- E. **Consideration and Possible Adoption of Ordinance No. 2012-13:** An ordinance of the Mayor and Council of the City of Flagstaff amending Flagstaff City Code, Title 3, Business Regulations; Chapter 3, User Fees; Section 3-10-001-0005, Recreation, revising Jay Lively Activity Center fees.

RECOMMENDED ACTION:

Read Ordinance No. 2012-13 for the first time by title only.

7. **DISCUSSION ITEMS**

- A. Discussion Item: Flagstaff Children's Memorial Park

RECOMMENDED ACTION:

Discussion

- B. Discussion Item: Request for Proposals for Core Services Maintenance Facility

RECOMMENDED ACTION:

No recommendation

8. **PUBLIC PARTICIPATION**

9. **INFORMATIONAL ITEMS AND REPORTS FROM COUNCIL AND STAFF, REQUESTS FOR FUTURE AGENDA ITEMS**

10. **ADJOURNMENT**

CERTIFICATE OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Flagstaff City Hall on _____, at _____ a.m./p.m. in accordance with the statement filed by the City Council with the City Clerk.

Dated this _____ day of _____, 2012

Elizabeth A. Burke, MMC, City Clerk

CITY OF FLAGSTAFF STAFF SUMMARY REPORT

To: The Honorable Mayor and Council
From: Kimberly Sharp, Neighborhood Planner
Date: 09/13/2012
Meeting Date: 10/02/2012



TITLE:

Consideration of Appointments: Regional Plan Citizen Advisory Committee

RECOMMENDED ACTION:

Discussion and possible appointment

Policy Decision or Reason for Action:

The City Council, during its September 11, 2012, work session, asked for further discussion of potential appointment(s) to the Regional Plan Citizen Advisory Committee (CAC). An attached memo provides the background information requested by Council, including:

1. Current Committee Roster with self-selected 'category' affiliation
2. Establishment of CAC categories by the Joint Board of Supervisors and City Council
3. City Ordinance No. 2008-34 – outlining the formation of the Citizen Advisory Committee
4. Steering Committee role and Organizational Chart

Financial Impact:

None

Connection to Council Goal:

The Regional Plan is a policy guide for the community and region, with 17 state-mandated elements and four additional elements according to the Arizona Growing Smarter Act. These elements, or subjects, provide insight into existing conditions, projected trends, and then state goals and policies developed by the community through a dedicated and thorough public process. This document is currently being edited and approved by the CAC. The complete policy document draft will be submitted to City and county Planning & Zoning Commissions, which will in turn recommend an amended Regional Plan to the City Council and the County Board of Supervisors for adoption. The goals and policies consider and implement all of Council's goals.

Has There Been Previous Council Decision on This:

The City Council and the County Board of Supervisors made the original CAC appointments at their respective January 20, 2009 meetings. The City Council and the County Board of Supervisors made replacement appointments to fill vacancies at their respective April 2010 (Board of Supervisors) and August 2010 (City Council) meetings after receiving advice from the Steering Committee. In all situations, appointments were made by respective elected officials after joint County Supervisor / City Council discussions and recommendations from a pool of community applicants.

Options and Alternatives

Further Discussion

Background/History:

The current Flagstaff Regional Land Use and Transportation Plan was adopted by City Council and the County Board of Supervisors in 2000. The Plan was ratified by the voters in 2001. State law mandates that a cities General Plan be updated every 10 years, with House Bill 2145 allowing communities to adopt and ratify an updated plan by July 1, 2015. This current process establishing a Citizen Advisory Committee (CAC) is dedicating to accomplishing said update through a thorough public process. The CAC is committed to producing a document outlining a community vision and how to accomplish that vision.

Key Considerations:

The Ordinance establishing the Flagstaff Regional Plan Citizen Advisory Committee (CAC) states that the maximum number of committee members is 19. It further defines 10-12 members are to be city residents appointed by City Council, and 7-9 members are to be county residents appointed by the Board of Supervisors. The current roster of CAC members shows 10 city residents and 5 county residents.

Community Benefits and Considerations:

The Citizen Advisory Committee (CAC) was established and appointed by elected officials to represent the broad diversity of the community at-large. The CAC has participated in the many open houses, focus groups, community design charrette process, and over 3 years of monthly or bi-monthly CAC meetings, discussing and debating policy language which has evolved from a public process. The Regional Plan provides policy language and informational and illustrative maps which will guide development patterns and conservation efforts over the next 20 years. The Regional Plan also provides an opportunity for elected officials to make important fiscal decisions based upon vast community input and vision.

Community Involvement:

- Inform - www.flagstaff.az.gov/regionalplan Main and east libraries hand-outs
- Consult - Community Values Survey (600 + respondents); on-line survey (900+ respondents); 25 open houses; 10 focus groups; 42 public presentations; 36 board & commissions discussions; Council, Supervisors, Chamber, NABA, Realtors, F3, NAU, CCC and FUSD updates
- Involve - Community Design Charrette - 4 days to establish three potential development scenarios - 300+ people
- Collaborate - appointed Citizen Advisory Committee; (5) working groups; City and County Planning & Zoning Commission hearings; City Council and Board of Supervisor public hearings
- Empower - voter ratification (March 2014)

Expanded Options and Alternatives:

- Steering Committee recommendations
- Publish call for applicants
- Joint City/County discussion and recommendation for appointment to elected officials
- City Council and County Board of Supervisors appoint agreed upon city/county residents to fill CAC vacancies at respective meetings

Date of Council Approval:

Attachments: Memo

Joint City/County Presentation Dec 2008

Regional Plan process Jan 2009 Commissions Presentation

Form Review

Inbox	Reviewed By	Date
Community Development Director	Elizabeth A. Burke	09/13/2012 12:02 PM
Deputy City Clerk	Elizabeth A. Burke	09/13/2012 12:15 PM
DCM - Jerene Watson	Jerene Watson	09/14/2012 11:05 AM
Form Started By: Kimberly Sharp		Started On: 09/13/2012 09:39 AM
	Final Approval Date: 09/14/2012	



Comprehensive Planning Memo

September 12, 2012

TO: Mayor Nabours and City Council

FROM: Kimberly Sharp, Acting Comprehensive Planning Manager

VIA: Jim Cronk, Planning Director
Mark Landsiedel, Community Development Director

RE: City Council discussion to fill CAC Vacancies

To assist in this discussion, please find attached:

1. Current CAC Roster, showing which members have resigned or moved, and which new members have been appointed. Also, the current self-selected 'category' affiliation has been noted. *See page 2.*
2. Establishment of CAC categories was made by the Joint Board of Supervisors and City Council members in December 2008, and finalized in January 2009, along with the adoption of the Public Participation Plan. *See page 3*
3. Original categories for CAC membership – these were self-selected during the application process. The goal was to have a balanced membership representing the community. *See pages 4.*
4. City Ordinance No. 2008-34 – outlining the formation of the Citizen Advisory Committee. *See pages 5 and 6.*
5. Steering Committee role and Organizational Chart, as defined by the Regional Plan Public Participation Plan, adopted by joint Council and Board of Supervisors on January 2009, and current membership. *See pages 7.*

Current Regional Plan Citizen Advisory Committee Roster (August 2012)

City Residents			Category membership <i>*affirmed by phone call 9/12/12 and 9/13/12 - updated according to CAC members wishes.</i>
Babbitt	Paul		Property owner; Design/Plan/Build Consultant.
Bousquet	Carol		Design/Plan/Build Consultant.; Sustainable Economic Development
Chaveas	Michael	Resigned Oct. 2011	
Leid	Julie	Replacement appointed August 2010	Design/Plan/Build Consultant.
Wright	Alex		Academic; Business/Chamber/Realtor (small business owner)
Griego	Jean	Resigned August 2012	
Putzova	Eva		Academic; Business/Chamber/Realtor (small business owner)
Henn	Richard		Education, Youth & Family
Herman	Maury		Property owner;
Louks	Judy		Business/Chamber/Realtor (realtor)
Naleski	Jerome		Business/Chamber/Realtor (realtor)
Ring	William	Resigned September 2012	
Walker	David	Resigned December 2009	
White	Nat		Senior; Education, Youth & Family
City Residents - Alternates			
Stevens	Larry	Resigned January 2010	
Rensink	Trish	Replacement appointed August 2010 Resigned February 2012	
County Residents			
Anderson	Ben		Education, Youth & Family
Hedwall	Shaula		Property owner; Environment; Natural Resource Manager
Kaemmerle	Ken	Resigned August 2010	
Lamb Bean	Susan		Religious / Interfaith
McLaughlin	Devonna		Sustainable Economic Development; Developer / Builder ; Property Owner
Nesbitt	Mike	Resigned April 2012	
Tse	Eunice	Resigned July 2011	
		Replacement appointed April 2010	Property owner; Developer / Builder; Environment; Sustainable Economic Development
Walters	Don		
White	Cynthia	Resigned May 2009	
County Residents - Alternates			
Murray	JR	Resigned June 2010	
Lovely	Gellis	Resigned Spring 2009	

- The Regional Plan Citizen Advisory Committee now has 15 members, down from the original 24 (19 members and 5 alternates).
- The Steering Committee decided to NOT fill vacancies at the June 2010 meeting, in which two replacements were recommended to Council. The thought process was that we are down to the wire in finalizing discussions and have been through all of the public meetings; any new members would not have this important background information.

Original self-appointed membership categories as defined by Joint Supervisors / Council at the January 2009 Joint BOS / Council meeting.

The categories were established as:

- Community members,
- Academic (NAU / CCC)
- Developer / builder
- Property Owner
- Renter
- Environmentalist
- Education – K-12 / Youth & Families
- Business / Chamber / Realtor
- Tourism / Sustainable Economic Development
- Cultural / Native American Tribal Representative
- Natural Resource Manager
- Design / Planner / Building Consultant
- Religious / Interfaith
- Senior

ORDINANCE NO 2008 34

AN ORDINANCE AMENDING TITLE 2 BOARDS AND COMMISSIONS BY ADDING CHAPTER 2 23 CREATING A FLAGSTAFF AREA REGIONAL PLAN CITIZENS ADVISORY COMMITTEE AND DECLARING AN EMERGENCY

WHEREAS the Flagstaff Area Regional Land Use and Transportation Plan the Plan was Regional adopted by the Mayor and Council of the City of Flagstaff the City Council on November 13 2001 and ratified by the qualified electors of the City of Flagstaff the City on May 21 2002 and

WHEREAS Arizona Revised Statutes 9 9 461 06 K requires that Arizona cities readopt their existing general plan or adopt a new one altogether for an additional term of up to ten years prior to the tenth anniversary of the date the plan was initially adopted and ratified and

WHEREAS the City of Flagstaff desires to foster resident involvement in the preparation of an updated Regional Plan and

WHEREAS the creation of a Flagstaff Area Regional Plan Citizens Advisory Committee is an appropriate means to foster that involvement

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

SECTION 1 Flagstaff City Code Title 2 Boards and Commissions is hereby amended by adding the following chapter and section Chapter 2 23 Flagstaff Area Regional Plan Citizens Advisory Committee

Section 2 23 001 0001 Creation of Committee

A Flagstaff Area Regional Plan Citizens Advisory Committee is hereby created to serve as an ad hoc temporary advisory board to assist in the preparation and adoption of an updated Flagstaff Area Regional Plan

Section 2 23 001 0002 Members and Officers

The **Flagstaff Area Regional Plan Citizens Advisory Committee shall have no more than 19 members.** All members shall reside within the Flagstaff Metropolitan Planning Organization boundary and a majority shall be City of Flagstaff residents. The Flagstaff **City Council shall appoint at least ten 10 but no more than twelve 12 members.** The Coconino County **Board of Supervisors shall appoint at least seven 7 but no more than nine 9 members.** Three 3 alternates shall be appointed by the City Council which the Council shall designate as a first, second, and third alternate. Alternates shall have the same rights and roles as any other member of the Flagstaff Area Regional Plan Citizens Advisory Committee except that they shall not vote in the work of the Committee unless one or more members are absent in which case the first alternate shall vote in the absence of a single member. Both alternates shall vote in the absence of two members, and all three alternates shall vote in the absence of three or more members. The Committee shall during its first meeting elect a chairperson and a vice chair, which persons who shall serve for the duration of the Committee's tenure. In addition, the City Council may designate a councilmember representative as a nonvoting ex officio member of the Committee.

Section 2 23 001 0003 Eligibility

Any resident of the City of Flagstaff shall be eligible for appointment by the City Council to the Committee and shall serve at the pleasure of the City Council and without compensation

Section 2 23 001 0004 Tenure

The Committee shall cease to exist upon the ratification of the updated Flagstaff Area Regional Plan pursuant to A R S 9 9461 06 M

Section 2 23 001 0005 Duties

A The Flagstaff Area Regional Plan Citizens Advisory Committee shall provide policy input to City staff and to any consultant retained by the City for the preparation of an updated Regional Plan The Committee shall conduct such public hearings as it deems necessary and appropriate to its work and shall render its advice in the form of reports to City staff and other Committees and in the form of a recommended draft Regional Plan update or commentary on a draft Regional Plan update. The Community Development Director or his or her designee shall assist and coordinate with the Regional Plan Citizens Advisory Committee with technical matters in order to further assist the Committee in carrying out its duties the Committee may request the assistance of technical experts and or employees and agents of the City including but not limited to Community Development Engineering and Public Works applicable utility agencies the school district fire and police departments the Arizona Department of Transportation and other affected entities as defined by Arizona Revised Statutes S 9 461 06 0

Section 2 23 001 0006 Meetings Attendance

A The Committee shall meet monthly from the first month following the selection of Committee members to the expiration of the Committee s tenure as described in Section 2 23 001 0005
ORDINANCE NO 2008 34 PAGE 3

B The Regional Plan Citizens Advisory Committee shall not conduct any business at a meeting unless a quorum is present A quorum shall consist of a simple majority of the voting membership of the Committee but in any event no official business shall be conducted without at least two 2 voting members appointed by the Coconino County Board of Supervisors present

C Official business shall be conducted pursuant to the Board and Committee Members Handbook adopted by Resolution No 2005 117 of the City Council and in accordance with meeting procedures if any adopted by the Committee insofar as they are not in conflict with the Board and Committee Members Handbook In the event of any such conflict the provisions of the Board and Committee Members Handbook shall prevail.

SECTION 2 Emergency

The immediate operation of the provisions of this Ordinance is necessary to meet a public emergency affecting life health property or the public peace time is of the essence in satisfying the City s obligations under A R S 9 9 461 06 et seq An emergency is hereby declared to exist and this Ordinance shall be in full force and in effect from and after its adoption by the City Council of the City of Flagstaff

PASSED AN ADOPTED by the Council and approved by the Mayor of the City of Flagstaff this 16th day of December 2008.

Category Membership

Page 6 of 7

Steering Committee Role and membership *(updated June 2010)*

– as defined in the Public Participation Plan, adopted by Joint Board of Supervisors / City Council at the Joint BOS/ Council meeting December 2008.

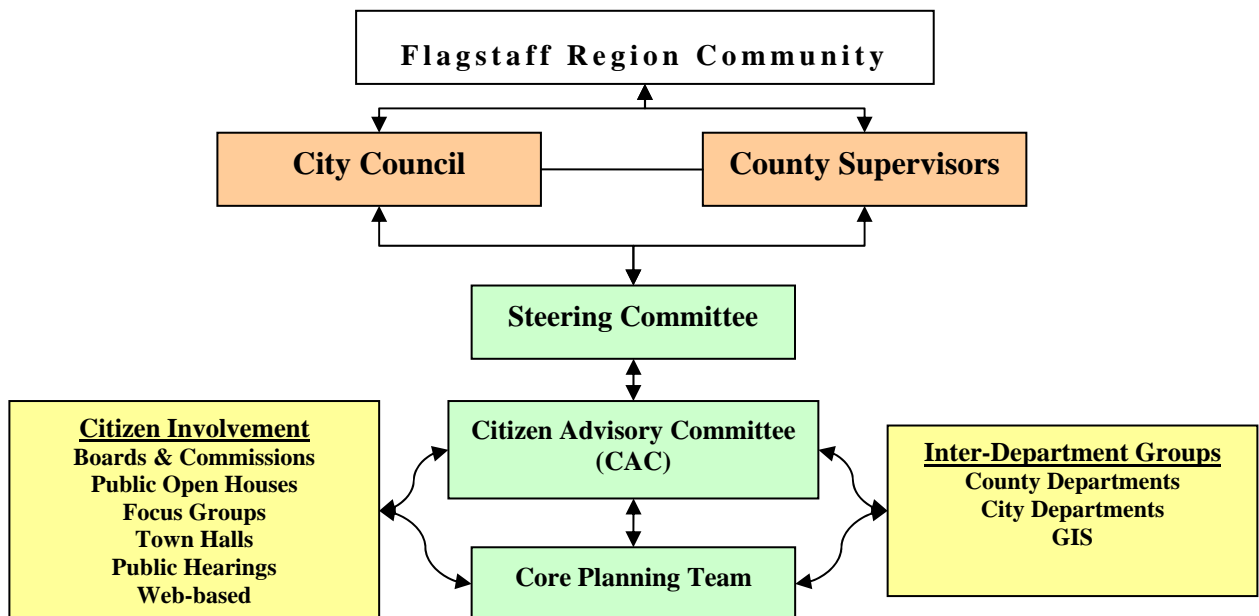
Steering Committee

The Steering Committee serves as the liaison between process management (staff) and City Council and Coconino County Board of Supervisors. The Steering Committee will meet quarterly with Core Planning Team representatives.

<u>Regional Plan Steering Committee</u>	
City of Flagstaff	Coconino County
Vice Mayor Coral Evans	Supervisor Matt Ryan
Councilmember Celia Barotz	Supervisor Mandy Metzger
Kevin Burke, City Manager	Mike Townsend, County Manager
CAC Chair Paul Babbitt	CAC Vice-Chair Carol Bousquet

Organizational Chart

– as defined in the Public Participation Plan, adopted by Joint Board of Supervisors / City Council at the Joint BOS/ Council meeting December 2008.





FLAGSTAFF REGIONAL PLAN 2012



BIG KICKOFF IS FEBRUARY 2009!!

Are we ready to begin the update process?

- Core Planning Team is working together – city & county staff
- Citizen Advisory Committee volunteers are filling out applications
- CAC Selection Team is being formed (*Councilmembers & Supervisors*)
- Steering Committee is being formed
- Stakeholder groups are being engaged
- Schedule is being solidified
- Website is set up – www.flagstaff.az.gov/regionalplan



GOALS of this process

- **PUBLIC PARTICIPATION** – This is ***YOUR*** plan Flagstaff!
- **CLEAR & REALISTIC DIRECTION** for Flagstaff's preservation & growth





CITIZEN ADVISORY COMMITTEE

- Up to 19 Committee members
- Job Description:

To work with the Core Planning Team (City and County Planning staff); review and finalize public participation plan and schedule to ensure adequate outreach; attend most Focus Group and Town Hall meetings to understand public input; develop the framework of public questions, review survey analysis and public comments from all sources; help develop the draft document of each element; approval of draft plan for consideration by Planning & Zoning Commissions, Council and Board of Supervisors.



CITIZEN ADVISORY COMMITTEE

Committee Makeup:

<u>Original List</u>	<u>Supervisors Add:</u>	<u>Council Add:</u>
Community Members	Natural Resource Manager	
Academic – NAU/CCC	Design/Planning Consultant	
Developer/Builder		
Property Owner(s)		Renter
Environmental(s)		Water Resource
Education K-12		Youth & Families
Business/Chamber	Combine Bus. Chamber & Realtor	Religious/Interfaith
Realtor		Seniors
Tourism/Econ. Dev.	“Sustainable” ED	
Cultural	Native American Tribal Representative	



CITIZEN ADVISORY COMMITTEE

Up to 19 + 3 alternates

- **Community Members [City & County]**
- **Academic – NAU / CCC**
- **Developer / Builder**
- **Property Owner**
- **Renter**
- **Environmental(s) [Water]**
- **Education – K-12 / Youth & Families**
- **Business/Chamber/Realtor**
- **Tourism / Sustainable Economic Development**
- **Cultural / Native American Tribal Representative**
- **Natural Resource Manager [Water]**
- **Design/Planner/Building Consultant**
- **Religious / Interfaith**
- **Seniors**



CITIZEN ADVISORY COMMITTEE

- CAC Application available on website:
www.flagstaff.az.gov/regionalplan
or from City or County planning staff
- Applications due **DECEMBER 17, 2008**
- CAC Selection Team will review applicants January 2009
- Council & Supervisors appoint **January 20, 2009**



CITIZEN ADVISORY COMMITTEE

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or from City or County planning staff
- Applications due **DECEMBER 17, 2008**
- CAC Selection Team will review applicants January 2009
- Council & Supervisors appoint **January 20, 2009**



Regional Plan Update Schedule

- **Core Planning Team & Citizen Advisory Committee** – meeting monthly; Feb. 2009 – May 2011
- **Steering Committee** – meets quarterly; March 2009 – May 2011
- **Boards & Commissions** – appropriate Board or Commissioned addressed according to element being worked on at the time
- **Focus Groups** – Feb. 2009; April 2009; August 2009; November 2009; Feb. 2010; April 2010; July 2010
- **Town Halls**: - March, June & September 2008; March, October 2010; April 2011
- **Public Hearings** – June – October 2011
- **Ballot Initiative to Voters** – May 2012



Direction needed from Council & Board of Supervisors

- **Core Planning Team Selection Team**

2 or 3 Councilmembers; 2 or 3 Supervisors

- **Steering Committee** –

2 Councilmembers; 2 Supervisors

- **Citizen Advisory Committee**

Up to 19 members + 3 alternates; chair, vice-chair; make-up



Questions or Comments

Contact Information

Bob Caravona, City of Flagstaff Comprehensive Planning Manager

(928) 779-7631 x 7239

bcaravona@ci.flagstaff.az.us

Bill Towler, Coconino County Community Development Director

(928) 226-7456

btowler@coconino.az.gov



FLAGSTAFF REGIONAL PLAN 2012

BIG KICKOFF IS FEBRUARY 2009!!

Are we ready to begin the update process?

- Core Planning Team is working together – city & county staff
- Citizen Advisory Committee volunteers applications are in
- CAC Selection Team is formed (*Councilmembers & Supervisors*)
- Steering Committee is being formed
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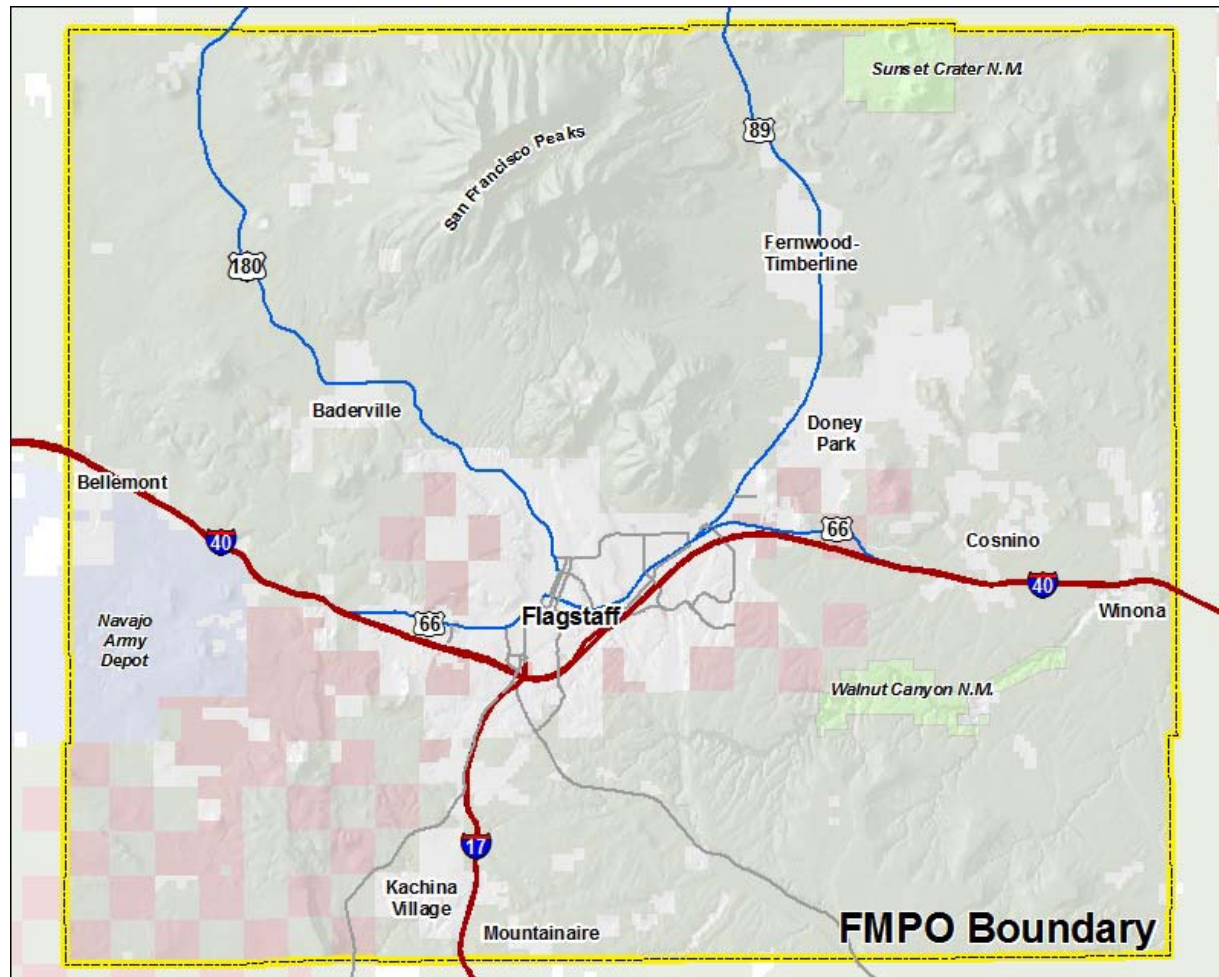
GOALS of this process

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Boundaries of Regional Plan





Regional Plan Requirements

Arizona Revised Statutes 9-461.05

- Prepare and adopt comprehensive, long-range **general plan** for the development of the municipality
- Provisions for modifications and **amendments**
- Include statement of **community goals** and development policies
- Include maps, diagrams and text setting forth objectives, principles, standards and plan proposals
- Specific **elements** must be addressed
- Plan administration



Regional Plan Elements

17 Required elements:

- Land Use
- Circulation / **Bicycle**
- Open Space
- Growth Area
- Environmental Planning
- Cost of Development
- Water Resources
- **Energy**
- **Conservation**
- Recreation
- Public Facilities and Services / **Public Buildings**
- **Housing**
- **Conservation, Rehabilitation and Redevelopment**
- Safety
- **Neighborhood Preservation & Revitalization**

5 Optional elements:

- Community Character & Design
- Cultural Resources Planning
- Economic Development
- **Historic Preservation**
- **Social**



Regional Plan Administration

City and County may use the plan to:

- Make recommendations for future growth and development by way of (specific, area, neighborhood) plans, regulations, financial decisions, and capital budgets
- Make Departmental decisions for work program goals - Public Works / Capital projects
- Analyze development requests
- Produce an annual report
- Initiate Public education
- Make decisions regarding public property





Regional Plan Update Teams & Schedule

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CITIZEN ADVISORY COMMITTEE

– Job Description:

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- Council & Supervisors appoint **February 3, 2009**



CITIZEN ADVISORY COMMITTEE

Up to 19 + 3 alternates

- **Community Members [City & County]**
- **Academic – NAU / CCC**
- **Developer / Builder**
- **Property Owner**
- **Renter**
- **Environmental(s) [Water]**
- **Education – K-12 / Youth & Families**
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- **Tourism / Sustainable Economic Development**
- **Cultural / Native American Tribal Representative**
- **Natural Resource Manager [Water]**
- **Design/Planner/Building Consultant**
- **Religious / Interfaith**
- **Seniors**

Where you fit in.....





Questions or Comments

Contact Information

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(928) 779-7631 x 7239

bcaravona@ci.flagstaff.az.us

Bill Towler, Coconino County Community Development Director

(928) 679-8850

btowler@coconino.az.gov

CITY OF FLAGSTAFF STAFF SUMMARY REPORT

To: The Honorable Mayor and Council
From: Shannon Anderson, Human Resources Manager
Date: 08/20/2012
Meeting Date: 10/02/2012



TITLE:

Consideration and Possible Adoption of Changes to Title 1, Chapter 14, Personnel System, of the Flagstaff City Code:

- i. Resolution No. 2012-33: A resolution of the City Council of the City of Flagstaff, Arizona declaring as a Public Record that certain document filed with the City Clerk and entitled "The 2012 Addendum 4 to the Flagstaff Employee Handbook of Regulations"
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RECOMMENDED ACTION:

- Adopt Resolution No. 2012-33.
- Read Ordinance No. 2012-14 for final time by title only.
- Adopt Ordinance No. 2012-14.

Policy Decision or Reason for Action:

Revising Title 1, Chapter 14 as proposed will amend the Flagstaff Employee Handbook of Regulations to include new and updated policies in Equal Employment Opportunity, Affirmative Action, Non-Discrimination and Anti-Harassment, Americans with Disability Act, Complaint Procedures; Grievance Procedures, Probationary Period, Dismissal of Probationary Employees, Performance Evaluation System and Reduction in Force. The Employee handbook serves many purposes, which include but are not limited to: helping promote efficient City operations; helping protect the City from liability by providing employees with clear directives as to appropriate behavior in the workplace, and enabling the City to receive and continue to receive federal funding.

Financial Impact:

The employee handbook policies and procedures include employees at various levels throughout the organization which creates costs associated with personnel time.

Connection to Council Goal:

Effective governance.

Has There Been Previous Council Decision on This:

No.

Options and Alternatives

Options: 1) Support the changes ; 2) Support some of the changes; 3) Propose other changes.

Background/History:

The Flagstaff Employee Handbook of Regulations is an evolving document to ensure legal requirements are met and best practices are implemented. Therefore, the following changes are being proposed:

1. Section 1-10-011 Equal Employment Opportunity Policy: This new policy will be added to specify the City bases its hiring and employment decisions solely upon an individual's ability to perform the essential functions of the job without discrimination or harassment on the basis of race, color, religion, sex, national origin, age, disability, genetic information, sexual orientation, gender identity, veteran's status or any other status protected by law.
2. Section 1-10-012 Affirmative Action: This policy combines the Affirmative Action Policy, Equal Employment Opportunity and Affirmative Action Plan and Article 1-150 City of Flagstaff Affirmative Action Program into one policy. The policy provides background information, responsible parties and a listing of potential affirmative actions.
3. Section 1-10-013 Non-Discrimination and Anti-Harassment Policy: This is updating the City's current policy on sexual harassment and expanding the policy to clearly include harassment, discrimination and retaliation associated with race, color, religion, sex, national origin, age, disability, genetic information, sexual orientation, gender identity, veteran's status or any other status protected by law. The policy states discrimination and harassment are prohibited and will not be tolerated. The policy informs employees that all complaints of harassment, discrimination and retaliation will be thoroughly investigated per Section 1-10-021 Complaint Procedures and whom to contact.
4. Section 1-10-014 Americans with Disabilities Act: This policy combines the current handbook language and employee directive information. The policy has been updated to include definitions, how to address reasonable accommodations and records.
5. Section 1-10-021 Complaint Procedures: This is a new policy that standardizes how complaints related to harassment, discrimination and retaliation will be handled by the City for employees. The policy explains the reporting procedure, that any supervisor who fails to report will be subjected to discipline, a six month time frame for reporting, the steps of an investigation, including responsive action where an employee may seek recourse if they do not agree with the stated resolution and record keeping.
6. Section 1-10-022 Grievance Procedure: This policy has been updated to further explain the filing, response and appeal processes. It continues to include language about verbally speaking to an immediate supervisor or next levels of supervision as a step before filing a grievance.
7. Section 1-30-060 Probationary Period: This policy has been updated to include a definition of a probationary period and provide the length for non-exempt non-commissioned employees, non-exempt Municipal Court employees and non-exempt commissioned employees. The dismissal portion of the policy has been separated out to the dismissal section of the Employee Handbook.

8. Section 1-30-061 Performance Evaluation System: This is a new policy that encompasses the current probationary review and administrative review policies and performance evaluation handbook components. The policy explains the evaluation process, what probationary, annual and administrative evaluations are and the timing of each.

9. Section 1-40-122 Dismissal of Probationary Employees: This policy has been broken out of the probationary period policy and updated language has been added. The policy explains under what circumstances an employee may be dismissed while on probation and an explanation of the dismissal process.

10. Section 1-40-050 Reduction in Force: This policy has been updated to include the reduction process, performance matrix and placement process.

All of these policies have links to resources such as the Equal Employment Opportunity Commission or Department of Labor websites and to any related forms or documents.

Key Considerations:

Key considerations for the proposed changes are as follows:

1. Adding of an Equal Employment Opportunity statement.
2. Creating of a non-discrimination and anti-harassment policy including retaliation and standardized definitions and examples.
3. Expanding the Americans with Disabilities policy to include the process for requesting a reasonable accommodation.
4. Refining the Affirmative Action policy to update the program and how the program will be administered.
5. Establishing one complaint procedure for harassment, discrimination and retaliation for employees.
6. Providing a specific process for filing a grievance and adding the chain of command to the process versus going right from the immediate supervisor to the City Manager.
7. Removing the right of temporary employees to appeal a dismissal while on probation to the City Manager. Tenured employees do not have this right, so it was not an equitable practice.
8. Creating a performance evaluation system that includes all types of evaluations and explains the process.
9. Updating the reduction in force policy to officially adopt the performance matrix and reduction process.

Community Involvement:

These policies have not been reviewed by the community; however, sexual orientation and gender identity have been added to these policies based on a resolution adopted by City Council. The resolution was adopted by City Council after a series of public forums had been held regarding additional protections for the LGBT community.

Date of Council Approval:

Attachments: [Res 2012-33](#)
 [Ord 2012-14](#)
 [Personnel Regs/Final](#)

Form Review

Inbox
Human Resources Manager
Legal Assistant
Senior Assistant City Attorney AW

Reviewed By
Shannon Anderson
Vicki Baker
Anja Wendel

Date
09/06/2012 10:03 AM
09/06/2012 10:46 AM
09/06/2012 02:23 PM

DCM - Josh Copley
Human Resources Manager

Josh Copley
Shannon Anderson

Form Started By: Elizabeth A. Burke

Final Approval Date: 09/19/2012

09/06/2012 02:36 PM

09/19/2012 04:36 PM

Started On: 09/05/2012 03:49 PM

RESOLUTION NO. 2012-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK ENTITLED "THE 2012 ADDENDUM 4 TO THE FLAGSTAFF EMPLOYEE HANDBOOK OF REGULATIONS".

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

That certain document entitled "The 2012 Addendum 4 of the Flagstaff Employee Handbook of Regulations," three copies of which are on file in the office of the City Clerk, is hereby declared to be a public record, and said copies are ordered to remain on file with the City Clerk.

PASSED AND ADOPTED by the City Council and approved by the Mayor of the City of Flagstaff this _____ day of _____, 2012.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

ORDINANCE NO. 2012-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF AMENDING THE FLAGSTAFF CITY CODE, TITLE 1 ADMINISTRATIVE, CHAPTER 14 PERSONNEL SYSTEM, SECTION 1-14-001-0001 PERSONNEL SYSTEM ADOPTED, AMENDING THE FLAGSTAFF EMPLOYEE HANDBOOK OF REGULATIONS BY ADOPTING "THE 2012 ADDENDUM 4 FLAGSTAFF EMPLOYEE HANDBOOK OF REGULATIONS" BY REFERENCE, RELATING TO POLICIES AND PROCEDURES CONCERNING EQUAL EMPLOYMENT OPPORTUNITY, AFFIRMATIVE ACTION, NON-DISCRIMINATION AND ANTI-HARASSMENT, AMERICANS WITH DISABILITIES ACT, COMPLAINTS, GRIEVANCES, PROBATIONARY EMPLOYEES, PERFORMANCE EVALUATION, AND REDUCTION IN FORCE; PROVIDING FOR PENALTIES, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AUTHORITY FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

Section 1. In General. The Flagstaff City Code, Title 1 Administrative, Chapter 14 Personnel System, Section 1-14-001-0001 Personnel System Adopted is hereby amended as set forth below (deletions shown as stricken, and additions shown as capitalized text) and by amending that certain document known as the Flagstaff Employee Handbook of Regulations, by adopting those changes as set forth in that certain document known as "2012 Addendum 4 of the Flagstaff Employee Handbook of Regulations" of the City of Flagstaff, three copies of which are on file in the office of the City Clerk, which document was made a public record by Resolution No. 2012-33 of the City of Flagstaff, and which is hereby referred to, adopted and made a part hereof as if fully set out in this ordinance.

SECTION 1-14-001-0001 PERSONNEL SYSTEM ADOPTED:

There is hereby established pursuant to Article IV, section 5, of the Charter of the City a personnel system based on the principles of merit and fitness to be known as the "~~Personnel Policies of the City of Flagstaff - 1980~~", which policies are hereby adopted by reference pursuant to Article VII, section 13, of the Charter of the City, and the same are hereby designated and declared to be a public record of the City. 'FLAGSTAFF EMPLOYEE HANDBOOK OF REGULATIONS,' WHICH MAY BE AMENDED FROM TIME TO TIME, ~~Three (3) copies of the "Personnel Policies of the City of Flagstaff - 1980"~~ WHICH shall be KEPT ON file in the office of the City Clerk and there retained available for the use and inspection by any interested person during normal business hours. ~~The aforesaid rules and regulations shall be placed on file with the City Clerk immediately following the adoption and approval of this Chapter.~~

~~The City of Flagstaff hereby adopts the "2003 Amendments to the Personnel Policies of the City of Flagstaff," and by said adoption the City hereby augments and removes certain language contained in the Personnel Policies of the City of Flagstaff and hereby incorporates all of the provisions of the 2003 Amendments to the Personnel Policies of the City of Flagstaff into the Personnel Policies of the City of Flagstaff.~~

ANY PERSON FOUND IN VIOLATION OF A PROVISION OF THE FLAGSTAFF EMPLOYEE HANDBOOK OF REGULATIONS MAY BE SUBJECT TO DISCIPLINE, AS SET FORTH IN SUCH HANDBOOK.

(ORD. 1116, ENACTED 06/03/1980; Ord. 2003-21, AMENDED 11/08/03, ORD. 2004-25 AMENDED 12/21/2004, ORD. 2006-21 AMENDED 9/19/2006; ORD. 2007-39 AMENDED 08/07/2007, ORD. 2009-12 AMENDED 07/01/2009, ORD. 2010-10 AMENDED 06/08/2010, ORD. 2012-14 AMENDED 08/22/2012)

Section 2. Penalties. Any person found in violation of any provision of the Flagstaff Employee Handbook of Regulations may be subject to discipline, as set forth in such Handbook.

Section 3. Repeal of Conflicting Ordinances. All ordinances and parts of ordinances in conflict with the provisions of this ordinance or any part of the code adopted herein by reference are hereby repealed.

Section 4. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the code adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 5. Clerical Corrections. The Human Resources Director is hereby authorized to correct typographical and grammatical errors, as well as errors of wording and punctuation, as necessary related to the City of Flagstaff Employee Handbook of Regulations as amended herein, and to make formatting changes needed for purposes of clarity and form, or consistency.

Section 6. Effective Date. This ordinance shall become effective thirty (30) days following adoption by the City Council.

PASSED AND ADOPTED by the City Council and approved by the Mayor of the City of Flagstaff this _____ day of _____, 2012.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

ATTORNEY

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2012 ADDENDUM 4 OF THE FLAGSTAFF EMPLOYEE HANDBOOK OF REGULATIONS

1-10-011 EQUAL EMPLOYMENT OPPORTUNITY POLICY

It is the policy of the City of Flagstaff to ensure equal employment opportunity to all qualified persons based solely upon an individual's ability to perform the essential functions of the job without discrimination or harassment on the basis of race, color, religion, sex, pregnancy, national origin, age, disability, genetic information, sexual orientation, gender identity, veteran's status or any other status protected by law. Federal definitions may be found by visiting the resource links provided below.

The City's equal employment policy applies to all human resources related activities such as recruitment and hiring, compensation, benefits, promotions, transfers, reductions in force, City-sponsored training, termination and all other terms and conditions of employment.

Employment discrimination based upon an employee's race, color, sex, religion or national origin is a violation of Title VII of the Civil Rights Act of 1964, as amended while discrimination based upon an employee's disability is a violation of the Rehabilitation Act of 1973, American with Disabilities Act of 1990 and the Americans with Disabilities Amendment Act of 2008. Age discrimination is a violation of the Age Discrimination in Employment Act of 1967 as amended.

The Human Resources Division has overall responsibility for this policy and maintains reporting and monitoring procedures. The Human Resources Director or designee is designated as the City's Equal Employment Opportunity Officer and the Affirmative Action Officer. The Human Resources Director or designee will be available to all employees and applicants to handle any matters regarding Equal Employment Opportunity.

Disciplinary action may be taken against any employee willfully violating this policy, up to and including termination.

Sexual orientation and gender identity are currently not protected by State or Federal Law, so the City has adopted the following definitions for the purposes of City policy.

- A. Sexual orientation refers to whether a person is romantically or sexually attracted to other adults of a different sex, the same sex, or both.
- B. Gender identity is an individual's inner sense of belonging to a particular sex, male or female, regardless of whether this corresponds to his or her anatomical sex.

Links: [Title VII of the Civil Rights Act of 1964](#)
[Pregnancy Discrimination Act of 1978](#)
[Rehabilitation Act of 1973](#)

2012 ADDENDUM 4 OF THE FLAGSTAFF EMPLOYEE HANDBOOK OF REGULATIONS

[American with Disabilities Act of 1990](#)
[Americans with Disabilities Amendment Act of 2008](#)
[Age Discrimination in Employment Act of 1967](#)
[Genetic Information Non-Discrimination Act of 2008](#)

1-10-~~012~~. AFFIRMATIVE ACTION

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The U.S. Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) requires Federal contractors and subcontractors take affirmative action to recruit and advance qualified minorities, women, persons with disabilities, and covered veterans. As a government contractor the City has developed an Affirmative Action Program (AAP). The program is a tool designed to ensure equal employment opportunity in policies, practices and procedures relating to recruitment and hiring, advancement and all other terms and conditions of employment.

Deleted: Affirmative action as developed at the national level shall be the City of Flagstaff's positive means of implementing equal opportunity for all employees

Deleted: without regard to race, color, religion, sex, age, veteran's status, citizenship, non-disqualifying disability, national origin, or sexual orientation

Deleted: The goal of this City is to devise recruitment, training, and career advancement programs that will result in a greater percentage of minorities and women in City employment.

A. RESPONSIBLE PARTIES

1. The City Manager, as chief executive, is responsible for oversight of the Affirmative Action Program (AAP) to ensure compliance.
2. The Human Resources Director or designee is the City's Affirmative Action Officer (AAO) responsible for the design and effective implementation of the AAP by:
 - a. Developing Equal Employment Opportunity (EEO) policy statements and affirmative action plans.
 - b. Maintaining workforce, job group and utilization analysis every other year with the completion of the EEO-4. The EEO-4 is a survey completed biennially in every odd-numbered year. Under the Title VII of the Civil Rights Act of 1964, the Equal Employment Opportunity Commission requires workforce data from local governments with 100 or more employees. The City provides information on employment totals, employees' job category and salary by sex and race/ethnic groups as of June 30 of the survey year.
 - c. Assisting in the identification of potential AAP/EEO problem areas.
 - d. Assisting management in arriving at effective solutions to AAP/EEO problems.
 - e. Designing and implementing an internal audit and reporting system that measures the effectiveness of the program and identifies the need for remedial action.

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- f. Informing the City Manager of statistical analysis, potential AAP/EEO problem areas and program progress on a quarterly basis.
 - g. Training supervisors on the AAP and related personnel policies.
 - h. Maintaining equal employment postings on the company's bulletin board to ensure information is up-to-date.
 - i. Documenting statistical data, applicant flow logs, summary of personnel actions such as new hires, promotions, resignations, terminations and layoffs, and records pertaining to the classification and compensation system.
 - j. Serving as liaison between the City and enforcement agencies, groups, or organizations concerned with Equal Employment Opportunity.
- 3. Division Director, Section Heads and Supervisors will assist with the implementation of the Affirmative Action Program (AAP) by:
 - a. Identifying problem areas, formulating solutions, and establishing goals and objectives within their respective areas when necessary. All area specific plans will be published on the Human Resources website.
 - b. Reviewing the qualifications of all applicants and employees to ensure qualified individuals are treated in a nondiscriminatory manner when hiring, promotion, transfer and termination actions occur.
 - c. Conducting regular evaluations of an employee's job performance to assess whether personnel actions are justified based on the employee's performance of his or her duties and responsibilities.

B. AFFIRMATIVE ACTIONS

The City's Affirmative Action Plan is on file with the Human Resources Director's Office. The plan includes but is not limited to the following measures to eliminate potential AAP/EEO problem areas.

- 1. Conducting ongoing analyses of job descriptions to ensure they accurately reflect job functions.
- 2. Training hiring supervisors on proper interview techniques and equal employment opportunity to ensure the selection process is free from bias.
- 3. Including "Equal Opportunity/Affirmative Action Employer" in all printed employment advertisements and vacancy announcements.

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4. Placing employment advertisements, when appropriate, in local minority news media and women's interest media.
5. Requesting employment agencies to refer qualified minorities and women.
6. Ensuring all employees are given equal opportunity for promotion by posting promotional opportunities and offering assistance to employees in identifying training and education opportunities to enhance promotional opportunities.

Links: U.S. Equal Employment Opportunity Commission
U.S. Department of Labor – Office of Federal Contract Compliance Programs

1-10-013 NON-DISCRIMINATION AND ANTI-HARASSMENT POLICY

The City of Flagstaff is committed to a work environment in which all individuals are treated with respect and dignity. The purpose of this policy is to establish expectations for employee conduct within the workplace and to provide a complaint process for employees who feel as if they have been discriminated against or harassed within the workplace by anyone.

Each employee of the City is expected to refrain from discrimination, harassment and retaliation within the workplace, and shall treat all persons (including but not limited to co-workers, third parties and the public) with respect and dignity. Any individual employee who violates these guidelines and engages in prohibited conduct will be subject to appropriate disciplinary action up to and including termination.

It is the policy of City of Flagstaff to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, sex, pregnancy, national origin, age, disability, genetic information, sexual orientation, gender identity, veteran's status or any other characteristics protected by law. The City prohibits and will not tolerate any such discrimination or harassment.

A. DEFINITIONS

1. Discrimination means to exclude individuals from an opportunity or participation in any activity because of race, color, religion, sex, pregnancy, national origin, age, disability, genetic information, sexual orientation, gender identity, veteran's status, familial status, caregiving responsibilities, and occurs whenever similarly situated individuals of a different group are accorded different and/or unequal treatment in the context of a similar situation.
2. Harassment is unwelcomed conduct related to race, color, religion, sex, pregnancy, national origin, age, disability, genetic information, sexual

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orientation, gender identity, veteran's status, familial status, or caregiving responsibilities where such conduct has the purpose or effect of unreasonably interfering with an individual's work performance, or creating an intimidating, hostile or offensive work environment.

3. Hostile work environment is one in which an employee is regularly confronted with offensive conduct, comments, jokes, cartoons or remarks based upon characteristics protected by law, that make it difficult for an employee to perform his or her job. A hostile work environment does not need to be limited to sex-based conduct, and may include conduct or comments based upon race, color, religion, national origin, age, disability, sexual orientation, gender identity or any other characteristics protected by law. Generally the conduct that creates a hostile work environment is repeated behavior which is sufficiently severe or pervasive to affect the terms and conditions of employment.
4. Retaliation is to discriminate against an individual because he or she has opposed any practice made unlawful under the Federal employment discrimination statutes. This protection applies if an individual communicates to his or her employer or to a state or federal agency charged with investigating discriminatory conduct a belief that activity constitutes a form of employment discrimination that is covered by any of the statutes enforced by the Arizona Civil Rights Division of the Arizona Attorney General's office or the Equal Employment Opportunity Commission (EEOC).

B. HARASSMENT

Harassment on the basis of any other protected characteristics is strictly prohibited. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, sex, pregnancy national origin, age, disability, genetic information, sexual orientation, gender identity, veteran's status or any other characteristic protected by law that:

1. Has the purpose or effect of creating an intimidating, hostile or offensive work environment;
2. Has the purpose or effect of unreasonably interfering with an individual's work performance; or
3. Otherwise adversely affects an individual's employment opportunities.
4. Harassing conduct includes, but is not limited to:
 - a. Epithets, slurs or negative stereotyping;

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- b. Threatening, intimidating or hostile acts; or
- c. Denigrating jokes and display or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group (including through e-mail).

C. SEXUAL HARASSMENT

1. Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, sexual harassment is unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature, when for example:
 - a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
 - b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
 - c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.
2. Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different sex. Depending on the circumstances, these behaviors may include, but are not limited to:
 - a. unwanted sexual advances or request for sexual favors;
 - b. sexual jokes and innuendos;
 - c. verbal abuse of a sexual nature;
 - d. commentary about an individual's body, sexual prowess or sexual deficiencies;
 - e. leering, catcalls or touching;
 - f. insulting or obscene comments or gestures;
 - g. display or circulation in the workplace of sexually suggestive objects or pictures (including through e-mail);

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3. For purposes of clarification, sexual harassment or other forms of unlawful harassment include, but is not limited to the following behaviors:
 - a. Verbal Harassment: Derogatory comments, propositioning, slurs, or other offensive words or comments on the basis of any protected status; whether made in general, directed to an individual or to a group of people, regardless of whether the behavior was intended to harass. This includes, but is not limited to, inappropriate comments on appearance, including dress or physical features, sexual rumors, code words, and stories.
 - b. Physical Harassment: Assault, impeding or blocking movement, leering, or the physical interference with normal work, privacy or movement when directed at an individual on the basis of any protected class status. This includes such behaviors as pinching, patting, grabbing, or making explicit or implied threats or promises in return for submission to physical acts.
 - c. Visual Forms of Harassment: Derogatory, prejudicial, stereotypical, or other offensive posters, photographs, cartoons, notes, bulleting, drawings, screensavers, pictures, or articles of clothing that refers to any protected status or characteristic. This applies to posted materials, material maintained in or on City of Flagstaff property or equipment, or personal property in the workplace.
4. Harassment not involving sexual activity or language (e.g. male manager yells only at female employees and not males) may also constitute sex discrimination if it is severe or pervasive and directed at employees because of their sex.

D. INDIVIDUALS AND CONDUCT COVERED

These policies are intended to protect all employees from harassment, discrimination or retaliation whether by fellow employees, by a supervisor or manager or by a third party (e.g. a City contractor, vendor, consultant,

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customer, or the public).
These policies are also intended to ensure employees treat third parties with respect and dignity.

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside of the workplace, such as during business trips, business meetings and business-related social events.

All complaints of harassment, discrimination and retaliation should be reported as outlined in section 1-40-014 Complaint Policy.

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E. RETALIATION IS PROHIBITED

The City of Flagstaff prohibits retaliation of any kind by an employee, supervisor or manager because an employee filed a complaint or participates in an investigation of a complaint. Retaliation shall be deemed to include, but are not limited to:

1. Disciplining, or changing a work assignment or working conditions; and
2. Threatening promotional opportunities, job securities, benefits, terms of employment or any other service related benefits or privileges.

F. RESPONSIBLE PARTIES

1. The Human Resources Division shall be responsible for formally notifying employees of the City's policy and regularly conducting training on the topics of harassment, discrimination and retaliation.
2. Supervisors and managers are responsible for ensuring that harassment, discrimination, retaliation or other prohibited actions do not occur in the workplace. The supervisor or manager shall immediately report any prohibited behaviors to the Human Resources Director or designee for investigation and possible corrective action. If the subject of the complaint is a supervisor, the complainant is to report the matter to the Human Resources Director or designee.
3. Employees who witness prohibited actions of harassment, discrimination or retaliation are required to report such conduct. Employees are required to cooperate in investigations related to this policy by coming forward with evidence and fully and truthfully making a written report or verbally answering questions when requested by an investigator.

G. REPORTING COMPLAINTS

All complaints of harassment, discrimination or retaliation shall be reported to the immediate supervisor, Section Head, Division Director or the Human Resources Director or designee. All complaints of harassment, discrimination and retaliation will be thoroughly investigated as outlined in section 1-10-021 Complaint Policy.

Links: [Equal Employment Opportunity Commission Guidelines](#)

1-10-014 AMERICANS WITH DISABILITIES ACT

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It is the policy of the City not to discriminate against qualified individuals with disabilities in its hiring or employment practices such as advancement,

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discharge, compensation, training or other terms, conditions, and privileges of employment. The Americans with Disabilities Act (ADA) and subsequent Americans with Disabilities Amendments Act (ADAA) require employers to reasonably accommodate qualified individuals with disabilities. ▼

Deleted: The City does not discriminate on the basis of disability in its hiring or employment practices.

The City shall not ask a job applicant about the existence, nature, or severity of a disability or medical condition. Applicants may be asked about their ability to perform specific job functions. Job specific medical examinations or inquiries may be made, but only after a conditional offer of employment is made and only if required of all applicants for the position.

The City shall make reasonable accommodations for the known physical or mental limitations of a qualified applicant or employee with a disability upon request, unless the accommodation would cause an undue hardship on the operation of the City's business. To the extent its selection criteria for employment decisions have the effect of disqualifying an individual because of disability; those criteria must be job-related and consistent with business necessity. Employees' medical information shall be maintained separately from personnel files and protected by confidentiality.

In order to meet the federal and state mandated requirements relating to the Rehabilitation Act of 1973, Americans with Disability Act (ADA) and its amendments, the following internal process will be used.

A. DEFINITIONS

1. "Disability" refers to a physical or mental impairment that significantly limits or restricts a major life activity such as hearing, seeing, speaking, breathing, performing manual tasks, walking, caring for oneself, learning or working.
2. "Direct threat to safety" means a significant risk to the health or safety of others that cannot be eliminated by reasonable accommodation.
3. "Qualified individual with a disability" means an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment position that the individual holds or has applied for.

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B. REASONABLE ACCOMMODATION

Prospective or current employees of the City of Flagstaff may request that the City undertake a "reasonable accommodation" evaluation. The purpose of the evaluation is to determine if the qualified individual with a disability is able to perform the essential functions of the job for which they are an applicant or currently hold without creating an undue hardship on the City.

1. Any persons having a disability, or acting on behalf of a person having a disability, may file a City of Flagstaff Request for Reasonable Accommodation (RRA). If the RRA form is unavailable, the correspondence to the City must include the following information:
 - a. Name of the person making the inquiry;
 - b. Telephone number of the person making the inquiry;
 - c. Address of the person making the inquiry;
 - d. Name of the person for whom the accommodation is being requested;
 - e. Nature of disability involved;
 - f. Position for which the request for reasonable accommodation is being made;
 - g. Length of current disability; and
 - h. Work related needs according to the disabled individual.
2. The City will reasonably accommodate qualified individuals with a disability so they can perform the essential functions of the job. An individual who can be reasonably accommodated for a job, without undue hardship to the organization, will be given the same consideration for the position as any other applicant.
3. All employees are required to comply with safety standards. Applicants who pose a direct threat to the health or safety of other individuals in the workplace that cannot be eliminated by reasonable accommodation will not be hired. Current employees who pose a direct threat to the health or safety of the other individuals in the workplace will be placed on appropriate leave, paid or unpaid depending on the circumstances, until an organizational decision has been made in regard to the employee's immediate employment situation.

2012 ADDENDUM 4 OF THE FLAGSTAFF EMPLOYEE HANDBOOK OF REGULATIONS

4. Upon receipt of the request for a reasonable accommodation, the Human Resources Director or designee will provide a copy of the employee's current job description and request that the employee review this with their treating physician in order to confirm the limitations of the employee.
5. Upon receipt of the employee's limitations, the Human Director or designee will meet with the person making the inquiry. The Human Resources Director or designee will inform the inquiring person in writing of the outcome of this request. This written notice will be mailed to the address of the person making the inquiry as listed on the RRA form unless otherwise requested.
6. The City will attempt to resolve all requests for reasonable accommodation within thirty (30) calendar days of the receipt of the RRA form or letter.
7. The City may review the status of an accommodation in circumstances where the disability is not deemed permanent.

C. RECORDS

Medical information obtained concerning individual requests for disability accommodation shall be kept confidential, except for the following circumstances:

1. Supervisors or managers may be informed regarding restrictions concerning the work or duties of disabled individuals, and regarding necessary accommodation needs.
2. First aid and safety staff may be informed when and to what condition might require emergency medical treatment.
3. Government officials investigating compliance shall be informed.

Form(s): Request for Reasonable Accommodation

Links: Rehabilitation Act of 1973

Americans with Disability Act of 1990

Americans with Disability Amendments Act of 2008

1-10-021. COMPLAINT PROCEDURE

The purpose of the complaint procedure is to outline reporting procedures for City employees or non-City employees who feel they have been subjected to harassment, discrimination or retaliation. All complaints of harassment, discrimination or retaliation will be thoroughly investigated in a timely manner.

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It is the policy of the City of Flagstaff that there is fair treatment in workplace matters. Unlawful discrimination, harassment, and retaliation shall not be tolerated.

Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment, discrimination or retaliation. The City requires the prompt reporting of complaints or concerns within six months of the event which is the subject of the complaint, so that rapid and constructive action can be taken. The City will make every effort to stop alleged harassment before it becomes severe or pervasive, but can only do so with the cooperation of its employees.

Employees who are unsure if treatment rises to the level of harassment, discrimination or retaliation may seek the assistance of the Human Resources Director or designee. The Human Resources Director or designee will discuss the situation with the employee and provide guidance. These conversations will be documented by the Human Resources Director or designee and may remain informal and confidential between the employee and the Human Resources Director or designee, unless the treatment is severe and pervasive. This provides an employee the opportunity to understand how treatment may relate to City policies and state or federal laws and what are appropriate next steps.

A. REPORTING

1. Employees who feel they have been subjected to harassment, discrimination or retaliation are encouraged to try and solve the problem directly by politely and firmly confronting the individual and tell them to stop. If the employee is not comfortable doing this they should take the issue to their immediate supervisor, Section Head, Division Director, or Human Resources.
2. The City of Flagstaff requires the reporting of all incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals who believe they have experienced conduct that they believe is contrary to the City's policy or who have concerns about such matters should file their complaints with their immediate supervisor, Section Head, or Division Director, or the Human Resources Director or designee before the conduct becomes severe or pervasive. Individuals should not feel obligated to file their complaints with their immediate supervisor first before bringing the matter to the attention of one of the other City designated representatives above.
3. Employees filing a complaint will be encouraged to provide a written and/or recorded statement about their knowledge of the alleged incident. Verbal complaints will be treated with equal seriousness. However, in order to conduct a thorough investigation, the reporting party is

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encouraged to submit written documentation. The employee or non-City employee should be prepared to provide the following information:

- a. His or her name, division and position title;
 - b. The name of the person or persons committing the harassment, discrimination or retaliation and their job title;
 - c. The specific nature of the harassment, discrimination or retaliation, how long it has gone on, specific dates and any employment action taken against you or any threats made against you as a result of the harassment, discrimination or retaliation;
 - d. Witnesses to the harassment, discrimination or retaliation;
 - e. Whether you have previously reported such harassment, discrimination or retaliation and, if so, when, to whom and what happened as a result of that report.
4. Any supervisor who becomes aware of possible harassment, discrimination or retaliation of an employee, either as a result of having received a complaint directly from the employee, from any reliable source of information or from his or her personal observation, must report the situation in writing to the Human Resources Director or designee immediately. Any manager or supervisor who fails to report harassment, discrimination or retaliation may be subject to discipline, up to and including termination.

B. THE INVESTIGATION

1. The Human Resources Director or designee shall be responsible for overseeing the investigation and all resulting records. The Human Resources Director or designee may delegate the investigation to another City employee or third party agent at his or her discretion. In the event the complaint is against a member of the City Council or a Council appointed position such as the City Manager, City Attorney or Presiding Magistrate, the investigation shall be referred to an outside agency. In the event the complaint is against the Human Resources Director, the investigation will be referred to the City Manager or their designee.
2. Any reported allegations of harassment, discrimination or retaliation will be investigated promptly, thoroughly and impartially. The investigation may include individual interviews with parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

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3. Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.
4. Based upon the investigator's report, the Human Resources Director or designee and/or the City Manager or designee shall, within a reasonable amount of time, determine whether the conduct of the person against whom a complaint has been made constitutes a violation of the City's policies.
5. Following the investigation of a complaint, the Human Resources Director or designee shall report the facts of the investigation to the City Manager or designee and the Division Director. In cases where it is determined a violation has occurred, the City will take appropriate disciplinary action up to and including termination.

C. RESPONSIVE ACTION

1. Misconduct constituting harassment, discrimination or retaliation will be dealt with promptly and appropriately.
2. Responsive action may include, for example, training, referral to counseling, monitoring of the offender and/or disciplinary action such as a verbal warning, reprimand, withholding of a promotion or pay increase, reduction in wages, demotion, reassignment, temporary suspension without pay, or termination, as the City believes appropriate under the circumstances to correct and prevent harassment, discrimination or retaliation.
3. If an employee making a complaint does not agree with the resolution, the employee may formally appeal in writing to the City Manager or designee within five (5) working days.

D. RECORDS

Complaint records will not be filed or maintained with any other employment information concerning employees, but will be kept as a distinct system of records. If a complaint results in disciplinary action against an employee, the record of that action will be maintained with the employee's personnel records. The accessibility of investigation records will be limited to the City Manager, Deputy City Manager or appointed representatives; except to the extent required by law. Upon receipt of a public records request, the Human Resources division or City Clerk section will notify the complaining employee and subject of the complaint of the request.

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1-10-022. **GRIEVANCE PROCEDURE**

Deleted: ARTICLE 1-90. . GRIEVANCE PROCEDURE¶

Deleted: 1-90-010

Any alleged violation of a specific City provision is subject to review through the grievance procedure, excluding dismissal, demotion and suspension of ten (10) days or more. Dismissal, demotion and suspension of ten (10) days or more are covered by section 1-10-040 Personnel Board.

Employees are encouraged to first discuss an alleged policy violation with their immediate supervisor, as appropriate, before filing a grievance. If the alleged policy violation involves the employee's immediate supervisor or is not resolved with the immediate supervisor, the employee may approach the next level of supervision up to the Division Director without formally filing a grievance in writing. These informal discussions shall not be deemed a grievance.

Once an alleged policy violation is submitted in writing it is considered a grievance.

The time limits specified in the grievance process may be waived at any time by mutual consent of the parties. A grievance may be terminated at any time in the process with a signed written request from the employee.

A. FILING PROCESS

1. An employee initiates the grievance process by submitting the alleged violation in writing to their immediate supervisor. The grievance must be initiated within twenty (20) calendar days of the incident that gave rise to the grievance.
2. The grievance shall be signed by the employee, and must include the following information:
 - a. A clear and concise statement of the alleged policy violation and the facts upon which it is based;
 - b. The section(s) of the City of Flagstaff Employee Handbook of Regulations or other City policy that was violated; and
 - c. The remedy requested.

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B. RESPONSE PROCESS

1. The supervisor shall notify the Section Head, Division Director and Human Resources Director or designee of the grievance and consult with these parties before their response.
2. The supervisor may meet with the employee prior to the response in order to seek clarification.
3. The response to a grievance shall be in writing, signed by the supervisor, and include the following information:
 - a. A clear and concise response to the grievance and the facts upon which it is based;
 - b. The section(s) of the City of Flagstaff Employee Handbook of Regulations or other City policy which apply to the grievance and basis for the decision; and
 - c. Denial or acceptance of the proposed remedy or alternative. The supervisor shall include information regarding the next steps in the process, if denying the remedy or alternative.
4. The supervisor shall meet with the employee to discuss the grievance response within five (5) working days after the grievance is initiated.

D. APPEAL PROCESS

1. After receiving the written response from the supervisor, if the employee does not feel the grievance is satisfactorily resolved, the employee may file an appeal with the next level of supervision within five (5) working days in writing and shall include the reason for the appeal and why the previous response was unsatisfactory.
2. The next level of supervision shall discuss the grievance with the employee within five (5) working days, gather information from others involved or having information pertinent to the issue, and then shall provide a written response to all parties within five (5) working days of the meeting. This appeal process will continue through the chain of command to the City Manager.
 - a. At each succeeding step the employee shall state in writing the reason for his or her appeal and why the previous response was unsatisfactory.

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b. At each succeeding step the supervisor or manager shall respond in writing to the grievance stating the reason and basis for the decision that was rendered.

c. The decision of the City Manager is final.

3. All grievance documents should be forwarded to the Human Resources office for record retention.

Deleted: ¶

¶
A. . A grievance is a circumstance, other than dismissal, demotion, or suspension, thought by the employee to be unjust and which has been reduced to writing.¶

Deleted: 1.

Deleted: If an employee feels they have a complaint, they shall discuss it with their immediate supervisor. If the complaint is not resolved with one's immediate supervisor, the employee may go to the next level of supervision and may proceed through the Department Head without formally filing a grievance. Such informal discussion shall be considered as a complaint and not a grievance.

Deleted: 2.

Deleted: If, at any level of supervision above the first one, the employee decides to formalize their complaint in writing, they shall be considered as having a grievance.¶

Deleted: B. . All grievances shall commence within twenty (20) calendar days of the incident which gave rise to the grievance.¶

Deleted: C. . The following procedures shall be followed when any employee desires to express dissatisfaction with some aspect of their employment.¶

Deleted: 1.

Deleted: An employee who has a problem shall first present their complaint orally to their immediate supervisor so that it can be settled through discussion. Every effort shall be made to adjust all complaints on an informal basis between the employee and their immediate supervisor. The supervisor shall notify their Department Head when a complaint is ...

Deleted: 2.

Deleted: The complainant's supervisor is encouraged to answer the employee as quick ...

Deleted: 3.

Deleted: If, after discussion with their first two levels of supervision, the employee does not ...

Deleted: 4.

Deleted: This first level supervisor must, within five (5) working days of the filing of the ...

Deleted: D.

Deleted: The City Manager shall discuss the grievance with the employee, and others ...

Deleted: A. . Probationary Period

Deleted: ¶

Deleted: 1. . Original appointments of classified employees shall be tentative and subject to a ...

Deleted: classified

Deleted: classification

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1-30-060. PROBATIONARY PERIOD

The probationary period is the initial period of adjustment when the employee is learning about the City and their new position and the employee is provided with training and guidance from their supervisor.

A. Probationary periods are designed to provide a reasonable amount of time to evaluate an employee's performance.

1. Non-exempt non-commissioned employees will serve a six month probationary period.

2. Non-exempt Municipal Court and non-exempt commissioned employees will serve a one year probationary period. The probationary period for Police Officers will begin after the completion of the Field Training Officer (FTO) Program.

B. Probationary period may be extended by no more than six (6) months per section 1-30-061.B Performance Evaluation System Probationary Evaluation.

C. Upon successful completion of a probationary period, a non-exempt employee shall be granted tenured status in the position in which the probationary period is served.

D. Time spent serving as a temporary employee will not count towards the probationary period.

2012 ADDENDUM 4 OF THE FLAGSTAFF EMPLOYEE HANDBOOK OF REGULATIONS

E. The appropriate Division Director may dismiss the probationary employee at any time during the probationary period when the employee is not progressing or performing satisfactorily per section 1-40-122 Dismissal of Probationary Employee.

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1-40-122 DISMISSAL OF PROBATIONARY EMPLOYEES

Deleted: B.

Deleted: Dismissals While On Probation

A non-exempt employee may be dismissed while on probation when the employee is not progressing or performing satisfactorily and the supervisor has made a reasonable effort to coach the employee and ensure he or she understand the expectations of the position.

A. DISMISSAL PROCESS

Deleted: 1

1. The supervisor will recommend the termination of the probationary employee to the Division Director.
2. Upon approval from the City Manager or designee, the Division Director will meet with the employee to notify them of the dismissal and provide written notification of dismissal for the employee to acknowledge.
3. The Division Director will notify the Human Resources Director and Payroll immediately.
4. The written acknowledgment will be placed in the employee's personnel file.
5. Payroll will provide the employee's last paycheck within three days of the notice of dismissal.

B. Employees who are dismissed while completing their probation do not have access to the Personnel Board or the formal grievance procedure. ▼

Deleted: However, probationary employees may request a review by the City Manager or designee.

Deleted: 2. . The employee shall petition for review by the City Manager within five (5) calendar days from notification by a division or Department Head that he/she has not successfully completed his/her initial probationary period.

1-30-061 PERFORMANCE EVALUATION SYSTEM

Deleted: 3. . An employee rejected during the probationary period from a position to which promoted may be returned to the classification in which they had regular status, provided a vacancy in that classification exists. Should no vacancy exist at the time, the employee shall be placed on the appropriate re-employment list.¶

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The performance evaluation system enables the creation of reasonable performance expectations by the supervisor and the employee. The formal evaluations of the employee's work behavior helps the employer and the employee build on the strengths of the employee and identify those areas the employee needs improvement to be more effective and efficient in their job.

A. EVALUATION PROCESS

1. The supervisor will prepare the evaluation based on the review of the following items:
 - a. A comparison of the employee's performance with the performance expectations established upon the employee's date of hire or the previous year's evaluation;
 - b. The duties and responsibilities of the employee's position; and
 - c. Supervisory notes taken during the evaluation period.
2. The supervisor's evaluation should be based on an employee's actual performance and not on personal prejudice, bias or favoritism.
3. The supervisor will notify the employee of their evaluation meeting at least one (1) week in advance.
4. The supervisor will request the employee complete the pre-review input form. This allows the employee an opportunity to present his or her accomplishments for the year and assist the supervisor in completing the performance evaluation.
5. The supervisor will meet with the employee to review the performance evaluation. The supervisor will discuss the employee's strengths, areas of improvement with suggestions for improvement and expectations and goals for the upcoming year.
6. Any evaluations completed by a supervisor and signed by the employee will be filed in the employee's personnel file. If the employee refuses to sign the supervisor will write "employee refused to sign" and the evaluation will be filed in the employee's personnel file.
7. An employee may attach a written statement to any evaluation to be placed in their 201 file.

B. PROBATIONARY EVALUATION

2012 ADDENDUM 4 OF THE FLAGSTAFF EMPLOYEE HANDBOOK OF REGULATIONS

1. All non-exempt employees will be evaluated during their probationary period to ensure satisfactory performance based on the following schedule:
 - a. A non-commissioned non-exempt employee shall be evaluated at three and six months from their date of hire.
 - b. A non-exempt employee of the Municipal Court shall be evaluated at four, eight and twelve months from their date of hire.
 - c. A commissioned non-exempt employee shall be evaluated at three, six, nine and twelve months from their date of hire. Except Police Officers who shall be evaluated at three, six, nine and twelve months after their completion of the Field Training Officer (FTO) Program.
2. The probationary evaluation schedule may be extended up to six months by completing the following process:
 - a. The supervisor submits a request in writing outlining the reason for and length of the probationary period extension and the request is approved by the Section Head, Division Director, Deputy City Manager and Human Resources Director prior to the end of the probationary period.
 - b. The supervisor notifies the employee in writing the probationary period has been extended and the employee acknowledges by signing the written document.
 - c. The employee acknowledgement is filed in the employee's personnel file.
 - d. Another performance evaluation is completed before the end of the extended probationary period.
3. An employee is deemed to have satisfactorily completed the probationary period when an extension is not requested prior to the end of the probationary period.
4. An employee who does not perform satisfactorily during the probationary evaluation period may be discharged per section 1-40-022 Dismissals of Probationary Employees.
5. Exempt employees do not serve a probationary period, thus a probationary evaluation is not required.

C. ANNUAL EVALUATION

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1. After an employee has completed the probationary evaluation or administrative evaluation period, the rating period shall be annually upon the employee's hire or classification date.
2. Exempt evaluations shall be completed by July 1st of each year.
3. Upon budgetary approval non-exempt and exempt employees with an overall evaluation score of five (5) or above will receive a merit increase, except when the employee is at the maximum of the pay range. A non-exempt pay merit increase is movement to the next step in the pay range. An exempt merit increase is equal to 3.2% of the employee's current salary.
4. Council appointed employee evaluations shall be completed on the anniversary of and prior to the end of the service agreement.
5. Additional evaluations may be required upon request from the immediate supervisor.

D. ADMINISTRATIVE EVALUATION

1. Non-exempt and exempt employees who are promoted, demoted, transferred, or voluntarily reassigned to another position are subject to an administrative evaluation based on the following schedule:
 - a. A non-commissioned non-exempt employee shall be evaluated at three and six months from their date of promotion, demotion, transfer, or voluntary reassignment to another position.
 - b. A non-exempt employee of the Municipal Court shall be evaluated at four, eight and twelve months from their date of promotion, demotion, transfer or voluntary reassignment to another position.
 - c. A commissioned non-exempt employee shall be evaluated at three, six, nine and twelve months from their date of promotion, demotion, transfer or voluntary reassignment to another position.
2. An employee who does not perform satisfactorily during the administrative evaluation period may be returned to their previous position, provided a vacancy exists. Should no vacancy exist at the time, the employee shall be recommended for termination. The employee is eligible to request a

Deleted: ¶

1. An employee shall be retained beyond the end of the probationary period if the appropriate Department Head affirms that the services of the employee have been found to be satisfactory. Failure to request an extension or make a recommendation to dismiss or retain an employee within the six (6) month or one (1) year for (for classified commissioned employees) probationary period, automatically changes the employee to tenured status. ¶

Deleted: 2. Employees serving a six (6) month probationary period shall receive a formal written evaluation by their supervisor at the end of their third and fifth month of employment in their current position. Employees serving a one (1) year probationary period shall be evaluated formally on the third, sixth, ninth, and eleventh month. Police Officers will be evaluated formally on the third, sixth, and ninth month following completion of FTO. On the twelfth month they will receive written notification regarding tenured status. ¶

Deleted: 3. After probationary performance evaluation ratings, the normal rating period shall be annually upon the employee's classification date. ¶

Deleted: 4. Additional performance evaluations may be conducted at the discretion of the appropriate supervisor. ¶

Deleted: 1-30-061. ADMINISTRATIVE REVIEW ¶

Deleted: A. Classified

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Deleted: review, except for classified commissioned employees, who will complete a one (1) year administrative review

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B.

Deleted: . If an employee does not successfully complete his/her administrative review

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2012 ADDENDUM 4 OF THE FLAGSTAFF EMPLOYEE HANDBOOK OF REGULATIONS

hearing before the Personnel Board per section 1-10-40.C Personnel Board Request for Hearing.

Deleted: He/she may also access

Deleted: as outlined in Article

3. Additional administrative evaluations may be required upon request from the immediate supervisor.

Forms: Performance Evaluation

Performance Evaluation Handbook

Deleted: C. Employees completing an administrative review shall receive a formal written evaluation by their supervisor at the end of their third and fifth month of employment in their current position. Employees completing a one-year administrative review shall be evaluated formally on the third, sixth, ninth, and eleventh month.¶

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1-40-050. REDUCTION IN FORCE

A. A layoff may occur when one or more of the following conditions exist:

1. Shortage of work or funds,
2. Material change in duties or organization,
3. Business necessity,
4. No longer will be providing the service, or
5. Other appropriate reasons as determined by the City Manager.

B. REDUCTION PROCESS

1. The City Manager or designee shall determine the specific position, job family and/or single classification targeted for reduction.
2. The City's first preference is to reduce its workforce through voluntary options such as internal reassignment and natural attrition. When these options are insufficient to meet the City's needs, individual positions will be eliminated.
3. When there is more than one employee in the position identified for reduction, the immediate supervisor will use the performance matrix to determine which employee(s) will be part of the reduction.
4. The matrix results will be reviewed and approved by the Section Head, Division Director, Human Resources Director or designee and the City Manager or designee.
5. Once a decision has been made, the immediate supervisor and the Human Resources Director or designee will meet with the employee. The employee will be provided information on the placement process, job placement assistance and the Employee Assistance Program.

Deleted: The City Manager may lay off an employee in the classified service because of material change in duties or organization or shortage of work or funds. Employees in good standing shall be placed on an appropriate re-employment list as provided by these rules.¶

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6. An employee will be notified at least ten (10) working days in advance of a reduction in force.
7. Human Resources will provide the employee with information relating to benefits, retirement and unemployment.
8. The City Manager will determine when a severance agreement will be offered as part of a reduction in force. Any severance agreements will be mailed to the employee's home address via certified mail within forty-five (45) calendar days of a reduction in force.
9. Employees who are part of a reduction in force and in good standing will remain on the City's re-employment list for one year from the date of reduction.

C. PERFORMANCE MATRIX

To determine objectively which employees are to be part of a reduction in force, the following factors will be used on a division basis:

1. Length of continuous service with the City.

- a. Tenured part-time employees years of service will be pro-rated based on the number of hours worked. For example, a 20-hour per week employee would receive one-half (0.5) a year of service for twelve (12) months of work.

- b. Length of service should be based on the following scale:

<u>Years of Service</u>	<u>Performance Matrix Score</u>
<u>1 to 5 years</u>	<u>1</u>
<u>6 to 10 years</u>	<u>2</u>
<u>11 to 15 years</u>	<u>3</u>
<u>16 to 20 years</u>	<u>4</u>
<u>21 or more years</u>	<u>5</u>

2. Employee skills, training, and job knowledge as determined by their three (3) most current annual evaluations.

- a. The annual evaluations must have been given by the employee's current division, previous evaluations should not be considered.

Deleted: B. . Whenever possible, the employees will be given a two (2) week notice of pending lay-offs.¶

Deleted: laid off

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2012 ADDENDUM 4 OF THE FLAGSTAFF EMPLOYEE HANDBOOK OF REGULATIONS

- b. If the employee has not received an annual evaluation or has less than three annual evaluations, the supervisor should use the most recent evaluations on file.
3. Any performance documented outside of the most recent evaluation such as disciplinary actions, letters of commendation or awards may be included in the performance matrix scoring. If the performance had not been documented, it should not be included.
4. The supervisor's evaluation should be based on an employee's actual performance and not on personal prejudice, bias or favoritism.

Deleted: other factor the Department Head and City Manager may consider being important.

D. PLACEMENT PROCESS

1. The employee will complete the personal skills inventory form indicating their skills, abilities and education and what type of work they are interested in pursuing.
2. Human Resources will review the personal skills inventory form and will contact employees as funded position become vacant.
3. If there is more than one employee in the reduction in force that meet the minimum qualification, there will be a competitive process to determine who is the most qualified candidate.
4. If there is only one employee in the reduction in force and a funded position become vacant within the same division, the Division Director may choose to offer the vacant position to the employee without a competitive process.
5. If there is only one employee in the reduction in force and a funded position becomes vacant in another division, the employee will interview with the hiring supervisor.
 - a. If an employee meets the minimum qualifications of the position or has the ability to meet the minimum qualifications within a six (6) month period, the employee may be offered the position.
 - b. If the employee does not meet the minimum qualification of the position or will not have the ability to meet the minimum qualification of the position, the position will be opened up for a more competitive recruitment process.

Forms: Reduction in Force Matrix
Personal Skills Inventory Form

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Deleted: The Human Resources and Finance Divisions' representatives will meet with the employees to be laid off and provide the following:¶

- ¶ 1. . Estimate on the duration of the lay-off.¶
- ¶ 2. . Explanation of how seniority rights will be affected.¶
- ¶ 3. . Explanation on how vacation and sick leave will be affected.¶
- ¶ 4. . Effects on life, health insurance, and retirement benefits.¶
- ¶ 5. . Explanation of final pay.¶
- ¶ 6. . Where to sign up for unemployment insurance.¶
- ¶ 7. . Explanation of re-employment list.

Deleted: ¶

CITY OF FLAGSTAFF STAFF SUMMARY REPORT

To: The Honorable Mayor and Council
From: Glorice Pavey, Senior Recreation Coordinator
Date: 07/14/2012
Meeting Date: 10/02/2012



TITLE:

Consideration and Adoption of Resolution No. 2012-35: A resolution of the City Council of the City of Flagstaff, Arizona repealing Resolution No. 2011-09 and approving new Guidelines for Special Events.

RECOMMENDED ACTION:

- Read Resolution No. 2012-35 by title only.
- Adopt Resolution No. 2012-35.

Policy Decision or Reason for Action:

Community Events is proposing revisions to the packet for the following reasons:

- To introduce new rules, regulations and policies to ensure the safety of the event participants.
- To introduce new rules, regulations and policies to provide better communication between event producers, surrounding businesses and residents.

Subsidiary Decisions Points: No subsidiary decision points.

Financial Impact:

No anticipated financial impacts.

Connection to Council Goal:

Livability through good neighborhoods, affordable housing and varied recreational activities.
Effective governance.

Has There Been Previous Council Decision on This:

City staff and City Council periodically review the special event permit packet in order to refine it and meet the current needs of stakeholders. The last review by City Council was conducted in February 2011.

Options and Alternatives

1. Approve all revisions as presented.
2. Amend proposed revisions or add new revisions.
3. Make no revisions to the existing permit packet.

Background/History:

The existing special event permit packet was revised and adopted by City Council in February of 2011. Since that time, suggested revisions from City Council, event producers and the public have prompted the Recreation Services Division Office of Community Events to further refine the packet.

Key Considerations:

The following revisions are recommended in the special event permit packet:

Feedback: A Recreation Services administrative phone number has been created so that residents and businesses may register feedback, positive or negative, regarding special events. This number is posted on the Recreation Services website and will be in the CityScape newsmagazine. This will also be added to page 12 of the section, *Community Outreach* in the Special Event Rules and Regulations: "Residents, participants or event producers who wish to register feedback about events should call 928-213-2318."

Deletions from the Special Event Rules and Regulations: Remove the following section from page 6 under *Banner and Signage Guidelines*: "Banners with liquor references are allowed only if the special event has obtained a liquor license. In this case, display of the banners is restricted to the designated drinking area or 'Beer Garden.' The banners must face inward to the event area."

Additions to the Special Event Rules and Regulations: Page 12 under the section *Street Closures*: "The Applicant/Event Organizer must notify merchants and residents affected by the street closure (those residents and merchants located on the route or street closure; within the perimeter of the route or street closure; and those within a one block radius of the street closure)."

Page 13 of the section, *Traffic Control Plan*:

"All flaggers shall be certified per ARS 28-653,2001 and shall receive and review the COF – Volunteer Flagger Informational Handout."

Corrections to the Special Event Rules and Regulations: Many City Hall phone numbers have been changed when the City transitioned to the new VOIP phone system. Phone numbers in the special event permit packet have been updated to reflect this change.

Community Benefits and Considerations:

The proposed changes to the special event permit packet will increase public communication, safety and help to preserve Flagstaff's quality of life.

Community Involvement:

The proposed changes have been reviewed and commented on by the City Council on June 12, 2012 Parks and Recreation Commission on July 18, 2012 and were in part in response to public suggestions and input during and after events.

Date of Council Approval:

Attachments: Resolution No. 2012-35
 Special Event Permit Packet
 Flagger Handout
 Parks and Recreation Commission Minutes

Form Review

Inbox

Reviewed By

Date

Senior Rec Coordinator - Pavey (Originator)	Glorice Pavey	09/06/2012 02:38 PM
Community Enrichment Director	Elizabeth Anderson	09/07/2012 03:17 PM
Legal Assistant	Vicki Baker	09/10/2012 08:22 AM
Senior Assistant City Attorney DW	David Womochil	09/10/2012 09:30 AM
DCM - Jerene Watson	Jerene Watson	09/10/2012 11:03 AM
Form Started By: Glorice Pavey		Started On: 07/14/2012 09:44 AM
Final Approval Date: 09/10/2012		

RESOLUTION NO. 2012-35

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF,
ARIZONA REPEALING RESOLUTION NO. 2011-09 AND APPROVING NEW
GUIDELINES FOR SPECIAL EVENTS**

RECITALS:

WHEREAS, the City of Flagstaff (the "City") considers the special events held throughout the year as important public amenities that promote livability and tourism within the City; and

WHEREAS, the City desires to balance the needs of all citizens with the needs of special events promoters; and

WHEREAS, the City Council most recently adopted the City of Flagstaff Parks and Recreation: Special Event Permit Packet, by Resolution No. 2011-09 on March 1, 2011; and

WHEREAS, the City has considered and evaluated the comments of City staff and members of the public in reviewing the City's policies and procedures related to special events, and wishes to make changes to the current policy.

ENACTMENTS:

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FLAGSTAFF
AS FOLLOWS:**

Section 1: Resolution No. 2011-09 adopted March 1, 2011, is hereby repealed.

Section 2: That the City Council hereby approves the special events policies and procedures as set out in that document entitled "City of Flagstaff Recreation Services Special Events – Rules and Regulations" attached as Exhibit A to the staff summary in support of this resolution.

PASSED AND ADOPTED by the City Council of the City of Flagstaff, Arizona this 2nd day of October, 2012.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

CITY OF FLAGSTAFF RECREATION SERVICES SPECIAL EVENTS – RULES AND REGULATIONS

DEFINING A SPECIAL EVENT:

Any organized activity involving the use of, or having impact upon, City property, City facilities, parks, sidewalks, street areas or the temporary use of City property in a manner that varies from its current land use, requires a permit. (Ordinance 2010-27, Chapter 8-12, Special Events)

SPECIAL EVENT PERMIT PROCESS:

1. The Applicant/Event Organizer completes a Special Event Permit Application including all necessary attachments and returns the completed application to City of Flagstaff, Recreation Services- Office of Community Events in-person, by mail, via fax or email.
2. The deadline for submitting Special Event Permit Applications is ninety (90) days for Level A events; sixty (60) days for Level B events; and fourteen (14) days for Level C events prior to requested event date(s). Failure to do so will result in a late fee or denial of the permit.
3. If the nature of the event warrants, Recreation staff will schedule the event for an "informal review" by City staff. The Applicant/Event Organizer will be notified of the meeting date and will be required to attend. The goal of the meeting is to inform the Applicant/Event Organizer of all Department/Division special use conditions.
4. The Special Event Permit Application will be processed and routed for review by City Departments.
5. Special use conditions are compiled and provided to the Applicant/Event Organizer by a representative from the City of Flagstaff, Recreation Services-Office of Community Events.
6. Upon meeting all requirements and payment of fees an approved Permit is issued to the Applicant/Event Organizer.
7. Recreation staff compiles any post event comments – copy to Applicant/Event Organizer and file. The Applicant/Event Organizer will also be apprised of "Status Standing" (i.e.: if conditions established by the City were not followed). The cost of cleaning and/or damages assessed and billed against the security deposit and remaining balances billed to Applicant/Event Organizer.
8. The event producer is guaranteed exclusive use of the permitted municipal park or facility for the duration of the allotted time indicated on the Special Event Permit. The event producer must have the issued Special Event Permit in their possession at all times. The event producer has the right to ask the violator(s) to exit the permitted municipal park or facility if they so desire. If the violator(s) fail to exit the premises, the Flagstaff Police Department may be called for assistance.

PERMIT HOLDERS AGREEMENT:

The special event Applicant/Event Organizer/event organizer will be required to sign the Permit Holders Agreement prior to issuance of the Special Event Permit. By signing the Permit Holders Agreement, the permit holder(s) acknowledge and agree that they:

- Are aware of the non-refundable application fee
- Are aware of hazards to the safety of personnel and property that is inherent in the operation of the event and any related equipment
- Will operate the event and use of any related equipment in a safe manner
- Will maintain in force, throughout the duration of the event, liability insurance coverage
- Will operate only from the areas specifically designated
- Will clean operating areas of all trash and loose debris accumulated as a result of the activity prior to vacating the area
- Applicant/Event Organizer will remove all equipment or items associated with the event by the end of their allotted reservation schedule
- Will provide the City of Flagstaff, Recreation Services – Office of Community Events all necessary deposits (i.e. key and/or cleaning)
- Will provide security as warranted and be responsible for the control of spectators assembling as a result of the activity
- Will be responsible for any privately owned equipment left at the facility
- Will abide by all conditions of use
- Will return all City issued rental equipment to appropriate location within one business day after the event in the same condition as received

- Will provide access to event in accordance and compliance with American Disabilities Act standards
- Will defend, indemnify and hold harmless the City of Flagstaff.
- Pursuant to City of Flagstaff Ordinance No. 2010-27, it is unlawful for any person in charge of, or responsible for the conduct of, a duly permitted special event to knowingly fail to comply with any term or condition of a special event permit.

FAILURE TO COMPLY:

Failure to comply with rules, regulations and policies may result in the following:

- Termination/cancellation of event or rental contract
- Eviction from the premises
- Loss of future rental privileges
- Impact the Status Category of the event (Good Standing, Probationary Standing, Poor Standing)

ORGANIZATION STATUS

1. All entities or organizations without valid tax exemption status are considered to be commercial in nature unless they are a local community organization (i.e. church, club, school).
2. Nonprofit organizations need to have been recognized as tax exempt by the Internal Revenue Service (IRS) at least six (6) months prior to your event date and is in good standing with the IRS. If you are a bona fide tax exempt nonprofit organization, a copy of the tax exemption letter certifying your current tax exempt, non profit status is required.
3. Applications must attach a copy of this tax exemption letter with their application otherwise, commercial, for profit, rates will apply. For local community organizations, a narrative by the chief officer of host organization must be submitted with the application.

FEES AND DEPOSITS:

1. User fees and deposits must be determined per current Special Event Fees and Charges and required as stated in the policies.
2. Security deposits will be determined as follows: Events in "Good Standing" and new events will be required to pay the current stated security amounts; "Probationary" events will be required to pay 150% the stated security deposits; Events in "Poor Standing" will be required to pay 200%.
3. All fees and deposits for events will be due forty – five (45) business days prior to Level A event dates, thirty (30) business days prior to Level B event dates, and seven (7) business days prior to Level C event dates, and may be paid by cash, check, money order, or credit card. The application fee is due at the time that the application is submitted to the Office of Community Events.
4. Parks, Recreation and/or Facilities Maintenance overtime/holiday burden rates will be charged to the Event Organizer in the following situations:
 - Parks, Recreation and/or Facilities Maintenance is required to perform maintenance duties outside of their normal working hours.
 - Parks, Recreation and/or Facilities Maintenance is required to repair municipal parks/facilities due to damage caused during the Special Event.
 - Event Organizer fails to perform adequate cleanup during and after the event.
 - Staff is required to be present due to non-compliance issues related to the permit.
 - Minimum of 2 hour call out time will be charged to the event producer.
5. All fees and deposit checks will be cashed upon receipt. Refundable deposit amounts will be issued when all contractual terms have been met.
6. Upon the conclusion of the event, Recreation staff will assess the cost of cleaning and/or damages and the total will be deducted from the deposit.
7. Deposit refund balances will be issued to Event Organizer within 30 days after all contract terms are met post-event.

CANCELLATIONS AND REFUNDS:

1. Written cancellation notice must be delivered to the Office of Community Events at least thirty (30) business days in advance of Level A event dates, fifteen (15) business days in advance of Level B

event dates, and three (3) business days in advance of Level C event dates for a full credit of deposits and fees. Cancellations after that time may result in forfeiture of deposits and fees.

2. Application fees are non-refundable and are applicable regardless of event cancellation.
3. Event Organizer may decide up to twenty-four (24) hours prior to use to request a postponement of the event due to weather and reschedule for another available date during the same season at no additional charge. City of Flagstaff-Recreation Services is not obligated to provide an acceptable date to the Event Organizer postponing their event.

HOURS OF OPERATION:

1. Flagstaff City Code (8-11-001-005. Use By the General Public/Hours of Use)
 - Permitted hours of use must be between 5:00 a.m. and 10:00 p.m., Sunday through Thursday, and 5:00 a.m. and 12:00 midnight, Friday and Saturday, unless such person has acquired the appropriate permit from the City of Flagstaff, Recreation Services-Office of Community Events.
2. City Hall business hours between the dates of May 1st through the day before Labor Day are 7:00 a.m. – 4:00 p.m. and between the dates of Labor Day through April 31st are 8:00 a.m. – 5:00 p.m.

MUNICIPAL PARK/FACILITY AVAILABILITY:

1. Special Event Permit Applications are accepted a maximum of one (1) year in advance of the event. If an organization/individual has established an historic event during the same time each year and rates in "Good Standing" or "Probationary Standing" that organization/individual will take precedence over any other submitted event proposed for the same time frame.
2. The Recreation Services Director and/or Community Enrichment Services Director have the authority to decline proposals for events that are located in areas of close proximity to historic or already permitted events. The Recreation Services Director and/or Community Enrichment Services also have the authority to allow events requiring special consideration due to the nature of the event and benefit to the community.
3. The use of park property may not be granted when, as determined by the Recreation Services Director and/or Community Enrichment Services Director or a designated representative, such use is unsafe, will damage the facility, or is not in the best interest of the City.
4. Applicant/Event Organizer must obtain a permit to use a municipal park/facility. This Special Event Permit will allow use for a maximum of three (3) days with one (1) day prior for set up and one (1) day post-event for tear-down. Event cannot occur during the set up and tear down dates.
5. The exclusive use of playground areas, skate parks, and BMX parks cannot be reserved by one group, and access to the area by the general public must be available at all times. The City of Flagstaff, Recreation Services-Office of Community Events does not permit special events in any City-owned skate park or BMX park.
6. Events held at Wheeler Park will be limited to a maximum number of 16 events per calendar year. Events with historic precedence will be given first priority.
7. When enclosed by fencing, the maximum capacity of Wheeler Park is limited to 4000 attendees. With the addition of the adjacent parking lot, the maximum capacity of Wheeler Park is limited to 4500 attendees. With the addition of the ½ closure of Aspen Ave directly adjacent to the park/parking lot, the maximum capacity is limited to 4750 attendees.

PRIVATE PROPERTY/TEMPORARY USE PERMITS:

1. Events Requiring a Temporary Use Permit
 - Events on private property may require a Temporary Use Permit issued by the Community Development Department Planning and Development Services.
 - Regulations governing temporary uses located on private property can be found in the Land Development Code. Contact the Planning and Development Services at (928) 213-2641 for information and permit procedures.
2. Events that do not require a Temporary Use Permit
 - Except as specifically provided in the Land Development Code, restrictions on temporary uses shall not apply to any use that is conducted entirely on private residential property, operated by the person, company, or organization owning the property, provided that the

duration of the temporary use does not exceed forth-eight (48) hours and is repeated not more than four (4) times a year.

- This does not relieve private property owners of the need to comply with other regulations, such as the Noise Ordinance, Sales Tax Ordinance, provisions of the Zoning Ordinance, etc.

INSURANCE:

1. For events and series of events occurring on City-owned property, the Applicant/Event Organizer must provide a Certificate of Insurance for commercial general liability, auto liability (if applicable), and liquor liability (if applicable) naming the City of Flagstaff as additional insured.
2. Insurance coverage must be maintained for the duration of the event including setup and dismantle dates.
3. The certificate must indicate the dates, times, and location of the event. The person/organization listed on the certificate must be the Applicant/Event Organizer.
4. For event series or organizations with multiple events throughout the year, the Event Organizer may use the following verbiage: "City of Flagstaff is listed as additional insured for any and all events held on City property."
5. Have insurance providers address the certificate to the attention of the City of Flagstaff Recreation Services and submit it with the Special Event Permit Application.
6. Minimum limits are as follows:
 - \$ 1,000,000 per occurrence
 - \$ 1,000,000 aggregate
 - \$ 1,000,000 automobile liability (or non-owned automobile liability) (if applicable)
 - \$ 1,000,000 liquor liability insurance (if applicable)
7. Additional limits may be required after review.
8. Providing the above-listed insurance does not in any way reduce or eliminate any responsibility assumed under the indemnity agreement, described in the Special Event Permit Application as Affidavit of Applicant/Event Organizer.
9. The following applies to Amusement Rides:
 - The State of Arizona through statute - ARS 44-1799.61 - 1799.64 requires an amusement ride operator have \$2 million CSL liability limits (or split limits of \$1mil BI & \$500,000 PD).
 - This statute requires the operator to provide documentation of insurance, inspection and permit to each sponsor, lessor or property owner of the property where the amusement ride is operated.
10. Contact City of Flagstaff Risk Management at (928) 213-2082 for more information.

TENTS OR CANOPIES:

1. Stakes may not be driven into turf, grounds, asphalt or other surfaces without explicit written approval from the Parks Department. If approved, the Applicant/Event Organizer must call Blue Stake (1-800-782-5348) at least five (5) days before the event to locate utilities. The Blue Stake notice number must be provided to Office of Community Events prior to any staking.
2. Any damage to underground utilities or irrigation due to authorized or unauthorized staking is the responsibility of the Applicant/Event Organizer.
3. When staking is not approved tents must be securely weighted down to ensure public safety. Small tents or canopies must be properly weighted to prevent the tent or canopy from blowing or falling over.
4. The Parks Department or Recreation Services-Office of Community Events will indicate areas approved for large tents or canopies. All tent locations and sizes must be marked on the submitted site plan.
5. Tents and membrane structures that have an area in excess of 400 square feet are to be manufactured of flame resistant material or to be treated with an approved flame retardant. Tent-closed on more than 25% of all sides.

NOISE CONTROL:

1. Event amplification must end by 10:00 p.m. Monday through Sunday with the exception of Wheeler Park where event amplification must end by 9:00 p.m. All events with amplification may

not begin amplified entertainment until 12:00 p.m. on Sundays and 9:00 a.m. Monday through Saturday.

2. It is the intent of the City Council of the City of Flagstaff to endeavor to provide citizens with an environment free from such excess sounds or noise as may jeopardize their health, welfare and safety, degrade the quality of life, the tranquility of a neighborhood, or the right to quiet enjoyment of personal property. Event Organizers must be mindful of noise generated by entertainment and equipment and how it may negatively affect the quality of life of nearby residents and businesses. Police may submit a written notice to the Event Organizer providing requirements to alleviate noise related complaints.
3. The City's Noise Ordinance Code 6-08 applies at all times.
4. If event staff decides not to comply with police submissions, the Flagstaff Police Department has the authority to close an event or a portion of an event when responding to a legitimate citizen complaint. A police service fee for responding to two or more complaints (after having received a written notice) may be assessed to the Event Organizer.
5. The ability to offer live amplified entertainment in City-owned parks will be determined on a case-by-case basis, however the following rules will apply:
 - Wheeler Park - Speakers will be directed away from neighborhood areas. Speakers must be pointed in a northeast or eastern direction. Speakers may also be oriented in a "surround sound" set up, where speakers are faced into the event space.
 - Foxglenn Park - Speakers will be directed away from neighborhood areas.
 - Thorpe Park Multi-Use Field and Ponderosa Park - Speakers must be oriented in a "surround sound" set up, where speakers are faced into the event space.
 - Decibel levels read from 100 feet of the speaker locations must not exceed 90 decibels, "A" weighted.
 - Event Organizers are required to have a decibel level meter at the soundboard for all events with amplified sound. Levels must be monitored by the event producer(s) and remain within the required decibels.
 - Working directly or in concert with the event producer, the Police Department and/or Recreation Services may lower decibel levels at any time during the event. The genre of music will not be used to determine whether to lower decibel levels.

BANNER AND SIGNAGE GUIDELINES:

1. Regulations governing temporary signs can be found in the Zoning Code 10-50.100.070 (Temporary Signs).
2. Intent to display banners must be indicated on the Special Event Permit Application.
3. Banners may be temporarily displayed in Wheeler Park and Heritage Square at designated locations on poles provided by Recreation Services – Office of Community Events for the day(s) listed on the permit.
4. Temporary signs associated with events restricted to a City park or other City-owned or operated public property, including streets, vacant land and parking lots, shall be reviewed and approved by the Recreation Services section in compliance with the Special Event Permit Policy;
5. Banners may be affixed to temporary fixtures and equipment brought onto the permit site (such as a canopy, tent, stage, or food booth) by the Applicant/Event Organizer.
6. Banners must be identified on the Event Site Plan for placement on permanent structures and approval is required.
7. Banners may not be affixed to trees.
8. Banners may not be displayed on street medians, FUTS trails or within rights-of-way. An exception is the Downtown Banner Program, which allows banners to be displayed on the streetlights constructed specifically to accommodate the Downtown Banner Program.
9. Event banners must remain within the event site.
10. Banners affixed to the City's banner pole sleeves may not exceed sixty (60) square feet in total area.
11. Banners affixed to temporary fixtures may not exceed twenty-four (24) square feet in total area.

12. Directional signage may be placed up to one day before the event and must be taken down one day after the event. Directional signage must not exceed an area of 6 square feet.
13. Banners shall only be hung for the days permitted by the event producer, which may include the set up day(s).
14. Banners may not promote products that are illegal to consume by the patrons attending the event.
15. Banner language or depictions may not be profane or obscene.

EVENT SITE PLAN:

Applicant/Event Organizer must submit, with the Special Event Permit Application, an event site plan that includes the event area or route, indicating the location of equipment and specific activity areas. Applications will not be accepted without the event site plan. The Event Site Plan must include all fencing, or blockage of any area. Electrical panels and fire hydrants must be accessible from the street. Any changes to the Event Site Plan must immediately be communicated to the Community Events Coordinator and a new illustrated Event Site Plan is required.

- Your event site plan should be submitted on an 8 ½" x 11" or 8 ½" x 14" format.
- Location of equipment and parking must be provided in the event site plan.
- Location of set up/tear down equipment and parking for those setting up the event.
- If the event involves a moving route of any kind, indicate the direction of travel and all street or lane closures.
- The location of fencing, barriers and/or barricades. Indicate any removable fencing for emergency access.
- The provision of minimum fifteen feet (15') emergency access lanes throughout the event venue if the event involves the closure of any street.
- When closing streets, Fire Lanes are required; they must be approved and indicated on the Event Site Plan.
- The location of first aid facilities and ambulances.
- The location of all stages, amplified stage equipment, platforms, canopies, tents, portable toilets, booths, Beer Gardens, cooking areas, trash containers and dumpsters, carnival/amusement rides, merchandise vendors, controlled access/admission areas, and other temporary structures or activities.
- Direction that speakers will be pointing.
- Generator locations and/or source of electricity.
- Placement of vehicles and/or trailers.
- Exit locations for outdoor events that are fenced and/or locations within tents and tent structures.
- Identification of all event components that meet accessibility standards (i.e. parking for the disabled, access areas, etc.)
- The Recreation Services Director and/or Community Enrichment Services Director or designee has the right to adjust event site plans in order to protect the well being of the public.
- Other related event components not listed above.

ACCESSIBILITY PLAN

1. To comply with all City, County, State and Federal Disability Access requirements, an accessibility plan is required when submitting your application.
2. All temporary venues, related structures, and outdoor sites for special events shall be accessible to persons with disabilities.
3. If a portion of the area cannot be made accessible, an alternate area shall be provided with the same activities that are in the inaccessible area. It cannot, however, be offered only to patrons with disabilities.
4. Disability access may include parking, restrooms, telephones, clear paths of travel, transportation, signage, accessible vendors and booths.
5. The use of truck track is required to cover electrical cables impeding access on paths of travel.
6. In order to mitigate tripping hazards, small electrical cords are required to be secured.

7. If all areas are not accessible a map or program must be provided to disabled attendees indicating the accessible restrooms, parking, telephones, drinking fountains, etc.

MEDICAL PLAN:

1. The Event Organizer is required to provide first aid and medical coverage for events open to the general public.
2. A First Aid Station is defined as a signed first aid area that is staffed throughout the entirety of an event with at least one CPR and first aid certified individual with appropriate supplies.
3. The station must have capability of calling "911" in case of a medical emergency.
4. The following matrix is provided as a tool in an effort to help determine the appropriate medical services needed based on the number of anticipated attendees.

PUBLIC ATTENDANCE	# OF FIRST AID STAFF	# OF FIRST AID STATIONS
200 – 1,000	1	1
1,001 – 10,000	2	1
10,001 – 14,000	4	2
14,000 +	4	2 + standby ambulance

SANITATION AND RECYCLING:

1. For events and series of events occurring on City-owned property, the Applicant/Event Organizer must arrange for trash and recycling services.
2. The provision of on-site containers for the collection of recyclable materials must meet the following standards:
 - Container Quantity- The number of recycling containers shall equal the number of solid waste containers.
 - Container Placement- The solid waste and recycling containers shall be placed next to one another throughout the event venue.
 - Accepted Materials- The types of recyclable materials suitable for deposit into each recycling container shall include, at a minimum, aluminum and metal cans, cardboard, and rigid plastic containers (#1-#7- except Styrofoam, plastic wrap, and plastic bags). Additional recycling materials may be collected as long as they conform to the City's current list of acceptable recycling materials. The most recent list may be obtained by visiting the City of Flagstaff website at www.flagstaff.az.gov/recycle.
 - Each recycling container shall be clearly identified as a recycling container and display a list of the types of recyclable materials that may be deposited into the container.
 - Recyclable materials deposited in to the recycling containers must be delivered to a recycling facility or dumpster for recycling, not a landfill or refuse dumpster for disposal.
3. Event Organizers are responsible for removal of all trash generated by the event to the appropriate dumpsters serving the event. If City staff finds the receptacles full or overflowing (additional waste found within the park) after the teardown time stated on the permit, Applicant/Event Organizers may be billed an additional service charge to be determined according to time spent cleaning the waste (see staffing costs, Park Maintenance).
4. If City of Flagstaff recycling containers are used during the event and are returned contaminated with food or liquids the Applicant/Event Organizer will be billed a per container charge for cleaning.
5. Call Environmental Services at (928) 928-213-2110 for assistance in determining trash and recycling needs.

PORTABLE AND PERMANENT RESTROOMS:

1. Portable restrooms are required for any event estimating an attendance of 100 or more people. If no permanent restrooms are on-site and the event expects less than 100 attendees, portable restroom requirements will be determined on a case-by-case basis. The Applicant/Event Organizer is responsible for contacting portable restroom vendors.
2. For locations with space constraints, an option to reduce the total number of required restrooms is to clean and replenish five (5) hours into the event in order to maintain appropriate health and sanitation standards.

3. For multiple day events, restrooms must be cleaned at the end of each day or prior to the next event day in order to maintain health and sanitation standards.
4. It is up to the Event Organizer to fully consider all aspects of their event (i.e. alcohol consumption, weather) to ensure an appropriate number of restrooms are made available.
5. Designated accessible restrooms (to accommodate wheelchairs and assistive devices) are required (any person may use these).
6. The American with Disability Act requires that 5% of all portable toilet units ordered be wheelchair accessible, or a minimum of one per order.
7. The City will charge the Applicant/Event Organizer for associated costs when City of Flagstaff provided restrooms facilities are not cleaned and restocked following use.
8. Portable units may not be placed on sidewalks or grass areas.
9. Portable toilets are to be removed immediately after the event or teardown time specified within the Special Event Permit Application. Fees may apply for additional rental of space or removal of the portable restrooms.
10. If a City site includes permanent restrooms, it is the responsibility of the Applicant/Event Organizer to clean and restock the restrooms during the course of the event. Restrooms will be locked at night and opened in the morning during the event by the Applicant/Event Organizer to prevent unauthorized use. The Applicant/Event Organizer is responsible for any damage to the restrooms. Portable restrooms may be required and addressed during the routing process for those municipal parks/facilities that have permanent restrooms.

FOOD CONCESSIONS, VENDING, OTHER:

1. The Event Organizer is required to obtain a Special Event permit from the City of Flagstaff Tax, License, and Revenue Division for each event.
2. Applicant/Event Organizer will be required to provide a list of all individuals scheduled to sell merchandise, food or other items at least fourteen (14) days prior to the event. The information must include company name, contact person, address, phone number and current City business license number if applicable. All information is confidential and is for City Tax and Licensing use only.
3. Contact the City Tax and Licensing Department at (928) 213-2251 for more information.
4. If there are vendors at the event, the Applicant/Event Organizer must collect a \$15.00 fee from each vendor that does not already have a City Sales Tax or Business License. The fees and list of vendors must be submitted to the Tax, License, and Revenue Division on the following business day after the event.
5. Food booths are defined as a temporary facility operating for a short period of time in connection with a public gathering from which food items are sold/distributed.
6. Overnight camping within City limits unless in a designated camp site is not permitted per Land Development Code (City Code Chapter 8-11-001-0010 Prohibited Activities).
7. Event organizer will provide all vendors with a list of legal overnight parking/camping facilities (list available from the Office of Community Events).
8. Applicant/Event Organizers will specify the location of all proposed food booths.
9. Include location of vendors on site plan submitted with your application. Vendors are not to extend beyond the boundaries of the site plan when loading or unloading supplies.
10. Applicant/Event Organizers are responsible for obtaining County Health Permits for food handling, preparation and public distribution. Contact (928) 679-8750 for more information regarding County Health Permits.
11. Food vendors must be self-contained.
12. Fire extinguishers are required per Fire Department regulations.
13. Applicant/Event Organizer is responsible for ensuring that vendors have properly disposed of grease and other materials/items, and that they have been removed completely from the site.
14. Provide electrical amperage draws for equipment when submitting your application.
15. The Special Event permit will allow you exclusive control and regulation of any concessionaires/vendors within your defined venue.

16. For vendors with a table or tent who are not selling services or merchandise, a general use permit is required and applicable fees will apply. A special event permit is not needed. The general use permit does not guarantee "exclusive use of the area". The general use permit will not be issued if a "special event" is permitted for the space. More than one general use permit may be issued for a facility or park.

POTABLE WATER:

1. Recreation Services does not provide water connections for events.
2. There are two water needs options available for Event Organizers:
 - Water can be hauled to the site. The City of Flagstaff does not provide recommendations for water delivery vendors.
 - Water can be supplied by a Hydrant Meter at the event location if available. Fees and deposits may apply.
3. Hydrant Meter set-up and removal will only occur Monday-Friday from 8:00 a.m. – 3:00 p.m.
4. Event Organizers are responsible for hydrant meter, all consumption recorded on hydrant meter, and backflow device.
5. Event Organizers must contact the Customer Service Manager seven (7) business days prior to the event at (928) 213-2230 to set up service.
6. For after hours emergencies, call (928) 774-0262.

ELECTRICAL INFORMATION:

1. Proper cords must be used (12/3 for outdoor use), all National Electric Codes must be followed, and connections must be weatherproof. Cords extending over sidewalks must meet ADA standards and be covered with Truck Tracks to prevent any tripping hazards.
2. Generators larger than 25 Kva or 25,000 Watts require an over-the-counter electrical permit from Development Services Division (contact 928-213-2618.) The following rules apply:
 - A licensed electrical contractor is to be used for installation and set up and must be on site during inspection with City Electrical Inspector.
 - Inspection of generator set-up is required. Additional fees apply when an inspection must occur during non-City Hall business hours. If an event requires multiple generators, a fee per generator is charged and added to the basic permit fee.
 - If each vendor applies for a permit separately, each vendor will pay the full electrical permit fee and the after hour inspection if applicable.
 - For more information on generator permit costs refer to the Special Event Fees and Charges.
 - Larger generators may require a grounding stake. The location of each generator must be on the submitted site plan and approved by the Parks Department. Blue Stake (1-800-782-5348) may be called if a generator requires staking.
 - A fire extinguisher must be kept near generators. Minimum size: 2A-10BC.
 - All generators associated with the event must be turned off (with exception of a whisper-watt quiet generator approved by the Office of Community Events staff) concurrently with the event ending each evening.
 - Event Organizers may supply those in need of overnight electrical use access to the City electrical pedestal or direct them to legal camping locations where generator use does not impact residential areas. The power provision excludes power to overnight facilities such as Recreational Vehicles, camper trailers, etc. The power is for event related tents and event equipment ONLY. Violators will be charged a \$100 fee.

ELECTRICAL PLAN:

If applicable, the Applicant/Event Organizer must submit, with the Special Event Permit Application, an electrical site plan indicating all electrical equipment requiring electrical power, anticipated amperage draw (per item and in total), and an electrical site plan with the layout of extension cords and spider boxes. Event amperage requirements are requested for the safety of the event and in order to ensure adequate electrical needs can be met. The Applicant/Event Organizer must provide their own electrical equipment (i.e., generator or spider boxes) and electrical set-up.

- The electrical site plan must be completed by a licensed electrical contractor for those events using multiple power outlets. A less extensive plan must still be submitted for those using minimal electricity. The plan must be approved Facilities Maintenance Superintendent and the City Electrician at least 7 days prior to the start of the event.
- The City will inform the Applicant/Event Organizer of any additional requirements upon review of the Special Event Permit Application and/or during the pre-event walkthrough.

FLAGSTAFF POLICE DEPARTMENT SERVICE INFORMATION & SECURITY PLAN:

1. Depending on the nature of the Event Organizer may need to provide professional security services and/or law enforcement.
2. An approved Special Event Liquor License application must be obtained prior to submitting a Special Event Permit Application or during the routing process through the City of Flagstaff Police Department.
3. Police officers assigned to work special events are generally off-duty officers working at overtime pay rates. Applicant/Event Organizers will be billed at the full overtime/holiday burden rate of the individual officer(s) working the event. Applicant/Event Organizers are reminded that officers working special events, although assigned specifically to the particular event, are employees of the City of Flagstaff and do not work for the Applicant/Event Organizer.
4. Special events that generally require Police Department presence are those that:
 - Involve the sale and consumption of alcohol
 - Involve other public safety risks such as parades, sizeable attendance, high profile or other factors potentially adverse to community tranquility and peace.
5. Applicant/Event Organizers should consider all security factors early in the special event planning process and coordinate with the Flagstaff Police Department as soon as possible.
6. The size, type, time of day and location of your event, as well as the overall activities, are all areas that need to be analyzed in depth and addressed through your security plan.
7. The Flagstaff Police Department has final authority to determine your event security requirements. The Police Department will determine the necessity and make the final determination on whether uniformed personnel must be present at a Special Event.
8. If the prescribed numbers of Flagstaff Police Department Officers or private security guards are not provided, or prove inadequate, the Flagstaff Police Department maintains the right to shut down any or all components of the event and/or to provide additional police services that will be billed directly to the Host Organization.
9. The Flagstaff Police Department may be reached at (928) 774-1414 or (928) 214-2532 for more information.

FLAGSTAFF FIRE DEPARTMENT SERVICE INFORMATION:

The Flagstaff Fire Department will consider and require the following items:

1. Tents and membrane structures that have an area in excess of 400 square feet are to be manufactured of flame resistant material or to be treated with an approved flame retardant. A tent is closed on more than 25% of all sides. A canopy is open on 75% of all sides.
2. Vendors using heat, spark, or flame producing equipment must keep same equipment well away from combustible materials and have an approved portable fire extinguisher close at hand.
3. Food preparation inside an enclosed self-contained structure, producing grease laden vapors, must be equipped with an approved, type 1, grease extraction hood and an approved automatic fire extinguishing system installed within the hood and associated duct work.
4. Heating and/or cooking equipment inside of or under membrane structures will require prior location approval from the Flagstaff Fire Department and verification from the product manufacturer that the membrane material is flame retardant.
5. Tents where cooking is performed shall be separated from other tents, canopies or other membrane structure by a minimum of 20 feet.
6. Compressed gas bottles/cylinders must be stabilized to prevent tipping or falling over.
7. Extension cords must be of the heavy duty, grounded type (12/3) and listed for exterior use (weatherproof). The ground prong must be intact and must only be plugged into a 3-pronged receptacle.

8. Liquid or gas fueled appliances must be in good repair without fuel leaks or frayed electrical cords. Extra fuel must be kept in containers approved for that use and must not exceed 5 gallons in capacity.
9. When closing streets, 15' fire lanes are required. They must be approved and indicated on the site plan and Traffic Control Plan. Additionally, parking on adjacent streets must be monitored to ensure passage is not obstructed and temporary "No Parking" signs must be installed where needed.
10. Heritage Square is built above an underground parking garage. The floor of Heritage Square is designed to support only the weight of the occupancy loads listed below. The occupancy load must not be exceeded throughout the event. Use barricades and persons with counters to enforce the maximum occupancy loads.
 - The maximum occupancy load for Heritage Square is 1269 people, with the breakdown of distribution as follows:
 - Plaza Area- 957 people
 - Steps- 230 people
 - Stage- 82 people

When the Fire Department determines the occupancy load limits are not being enforced, off duty Flagstaff Fire Inspector(s) will be called to this event to monitor the occupancy loads until the event ends and to ensure that the occupancy load is not exceeded. The Event Organizer or Applicant/Event Organizer will be billed a per hour fee for each Fire Inspector.
11. Upon review of the Special Event Permit Application, the Fire Prevention Inspector may require that an on-site inspection take place. If so, the Applicant/Event Organizer will be notified and will then have five (5) working days prior to the event to schedule an inspection. Make an appointment with a Fire Prevention Inspector by calling (928) 213-2500 or by visiting the Fire Department Administration Office located in City Hall, 211 W. Aspen Ave.
12. Banners, signs, arches, and objects shall not be strung or erected across any portion of the street or fire department access; unless the clearance below any part of the object is 13'6" or higher, and the width is one traffic lane wide. Arches placed in the traffic lane shall have a clearance of at least 13'6" from side to side, and shall not diminish the width of one street lane at the base.

PARKING LOT USE & CLOSURES:

1. The City Hall north parking lot, also known as the Wheeler Park parking lot, may not be fully closed to the public during hours of operation. Half closures are allowed one workday prior to the event in order to allow safe set-up of equipment. A loading/unloading zone must be specified within the Event Site Plan.
2. With the exception of the allowable half closure indicated above, City Hall parking lots (west and north) may not be closed for event purposes during City Hall operating hours.
3. Event Organizers, volunteers, vendors, contracted personnel and attendees are not permitted to park in the Library parking lot.
4. The Applicant/Event Organizer is responsible for posting and maintaining parking lot closure notification one (1) days prior to the affected date.
5. During City Hall non-business hours vendors should park at other locations in order to provide ample event attendee parking.
6. It is the responsibility of the Event Organizer to ensure that vendors, delivery vehicles, staff, or anyone associated with the implementation of the event does not park in any non-permitted parking lots during normal business hours.
7. City Hall business hours between the dates of May 1st through the day before Labor Day are 7:00 a.m. – 4:00 p.m. and between the dates of Labor Day through April 31st are 8:00 a.m. – 5:00 p.m.

PARKING AND SHUTTLE PLAN

1. A Parking and/or shuttle plan is recommended for all events and may be required for certain types of events, to be determined by the Office of Community Events, for the safe arrival of event attendees, participants, and vendors and must be suitable for the environment in which your event will take place. Parking, traffic congestion and environmental pollution are all factors of concerns with events that should be addressed in this plan.

2. The use of carpools, public transportation and alternate modes of nonpolluting transportation should be used whenever possible.
3. Accessible parking and/or access in your event plans must be included.

COMMUNITY OUTREACH:

1. It is recommended that Level "A" events conduct community outreach in the neighborhood surrounding the park.
2. Residents, participants or event producers who wish to register feedback about events should call 928-213-2300.

STREET CLOSURES:

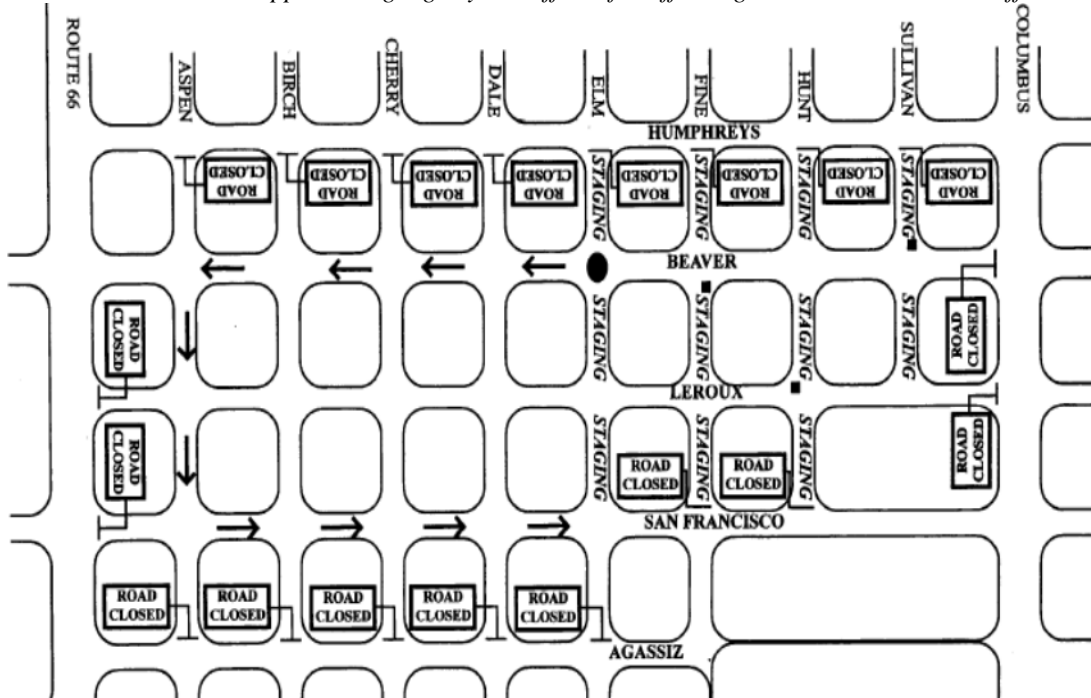
1. Street closures may occur when affiliated with outdoor special events including but not limited to parades, races, competitions, displays, fairs, and festivals. The proposed street closure will be illustrated through an event site plan and Traffic Control Plan which are required with the Special Event Permit Application. Traffic Control Plans must comply with the current Manual on Uniform Traffic Control Devices and are subject to approval by the City Traffic Engineer.
2. All street closures must allow for fire lane access during the event.
3. The Police Department will determine if the special event and street closure requires uniformed personnel present at the event.
4. The Applicant/Event Organizer must notify merchants and residents affected by the street closure (those residents and merchants located on the route or street closure; within the perimeter of the route or street closure; and those within a one block radius of the street closure) no later than two weeks (14 calendar days) prior to the event and no sooner than thirty (30) calendar days prior to the event. Copies of the notification letters or flyers with a list of recipients must be submitted to the City of Flagstaff, Recreation Services - Office of Community Events no less than two weeks (14 calendar days) prior to the event.
5. Event Organizer must provide a parking attendant for the Library parking lot when the Aspen Avenue (between Humphreys and Sitgreaves) entrance is blocked by a full or partial street closure. This parking attendant is responsible for monitoring safety and availability of parking spaces for library patrons.
6. One-way streets may not be closed in the Downtown Historic District (bordered by Humphreys Street, Route 66, San Francisco Street, Cherry Avenue and Birch Avenue east of Humphreys) except for:
 - Parades
 - Community-wide events for all ages when there are no other venues available. Other locations include any outdoor location owned by the City large enough to occupy a community-wide event. Other venue availability is determined by previously reserved activities that may conflict with a community-wide event. If there are not conflicts, other venues are preferred and will be approved for use in replacement of one-way street closures.
7. Two-way (both directions), single block side street full closures are permitted except for:
 - The full or half closure of Birch Avenue between Humphreys Street and Sitgreaves.

PARADES, MOTORCADES, WALKS AND RACES:

1. Detailed illustration of event routes, assembly, and disassembly areas are to be included on the Event Site Plan and submitted with the Special Events Application. When street closures are proposed, a Traffic Control Plan must also be included.
2. Throwing any items from parade floats is strictly prohibited.
3. When an event route extends beyond City limits/jurisdiction, written approval for property use is required from the associated agency (AZ State highways, railroad, National Forest Service, etc.) The approval must be submitted with the Special Event Permit Application.
4. The Applicant/Event Organizer is responsible for cleaning the parade, motorcade, walk, or race route. Scheduling street sweepers may be required. Contact the Streets Section at (928) 774-1605 for rates and availability.
5. Removing trash from spectator areas (i.e. sidewalks) is also the responsibility of the Event Organizer.
6. Contact the Flagstaff Police Department to discuss police escorts.

7. Portable restrooms are required along the parade route for event attendee use.
8. The following route is the Standardized Parade Route available to Applicant/Event Organizers for the Historic Downtown Business District. With the exception of the following annual parades, Armed Forces Day Parade, 4th of July Parade, NAU Homecoming Parade and the Northern Lights Holiday Parade, the proposed use of the Standardized Parade Route must be approved by Council.

** The route below does not include approved signage by the Office of Traffic Engineers. This is not a Traffic Control Plan.*



TRAFFIC CONTROL PLAN:

If applicable, the Applicant/Event Organizer must submit, with the Special Event Permit Application, a Traffic Control Plan indicating vehicle/pedestrian traffic control, detour routes, directional signs, barricades, and street closures.

- The Traffic Control Plan must be developed by a licensed and bonded barricade company. Once approved, the Traffic Control Plan must be executed by a certified technician from the barricade company.
- This must be submitted for the proposed closure of any street, sidewalk, alley, right-of-way, parking lot or similar public access area.
- Include/indicate the proposed parade/race route, if applicable.
- Traffic Control Plans must be dated and approved for the current year.
- Traffic Control Plans must comply with the current Manual on Uniform Traffic Control Devices and are subject to approval by the City Traffic Engineer.
- The Applicant/Event Organizer is responsible for providing all required barricades and traffic control signs.
- Traffic Control Plans must be finalized and approved by the Office of Traffic Engineers at least seven (7) business days prior to the event.
- "All flaggers shall be certified per ARS 28-653,2001 and shall receive and review the COF – Volunteer Flagger Informational Handout."

Applications will not be processed without a current Traffic Control Plan as described above.

ALCOHOL:

1. An approved Special Event Liquor License application must be obtained prior to submitting a Special Event Permit Application or during the routing process through the City of Flagstaff Police Department. Liquor licenses are distributed by the State of Arizona but require the approval of the municipality and/or county in which the event is being proposed.

2. Special Event Liquor License applications are available at the City Clerk's Office located in City Hall, 211 W. Aspen Ave or contact (928) 213-2076 for additional information. After completing the application, the Applicant/Event Organizer must deliver or send the application to the Police Department for review no later than seventy-five (75) days prior to the event.
3. Flagstaff Police Department Special Event Liquor License Applications will not be processed without a copy of the Special Event Permit Application and Site Plan from the Office of Community Events.
4. The Police Department will not approve an application for a Special Event Liquor License if the application involves the closure of a street for the primary purpose of providing more square footage to the Applicant/Event Organizer for the sale and consumption of alcoholic beverages.
5. Council approval must be received in order for a Special Event Permit to be issued for any event proposing to serve alcohol at Heritage Square.
6. If three or more alcohol-related criminal acts occur at an event with alcohol, a "Beer Garden" (see below) will be mandated for the next year of your event. If no violations occur the following year, the Beer Garden requirement is open to negotiation. If there are three (3) or more violations the subsequent year occur with the Beer Garden in place, the Flagstaff Police Department may deny your permit.
7. If mandated, the following guidelines apply:
 - Beer Garden must be enclosed by an approved barrier.
 - The entrance and exit must be properly marked.
 - Entrance and exit must be staffed with security personnel who are checking identifications.
 - Only those over the age of 21 are allowed in the Beer Garden unless with a parent or guardian.
 - Those over 21 must be given bracelets to identify them as over 21.
 - No over-serving.
 - No drinks are allowed to leave the Beer Garden.
 - Depending on event size, more than one Beer Garden may be approved.

EQUIPMENT RENTAL:

1. Mats may be picked up at the Office of Community Events the day prior to the event and must be returned the next business day following the event.
2. An appointment must be made in order to pick up banner poles.
3. The Applicant/Event Organizer and City staff must mutually inspect and agree on the condition of the equipment prior to the event and upon return of the items.
4. It is the responsibility of the Applicant/Event Organizer to demonstrate to staff that they fully understand the safe operation of any equipment rented.
5. Rentals are available on a first-come, first served basis.
6. It is the responsibility of the Applicant/Event Organizer to pay the cost to replace or repair any damaged equipment.
7. Fees:
 - Mats: \$5.00 per mat per weekend
 - Banner Poles: \$5.00 per 3 poles per weekend

CITY OF FLAGSTAFF RECREATION SERVICES SPECIAL EVENTS – STATUS POLICY

A. PURPOSE OF STATUS POLICY:

The purpose of this policy is to provide an objective and uniform process to determine to whom the City of Flagstaff - Recreation Services will permit and under what terms it will permit.

B. POLICY GOALS:

The goals of this policy are to:

1. Establish an objective and fair application process to determine to whom the City of Flagstaff will and will not permit and what fees, deposits, and special conditions will be applied to each event.
2. Ensure all traditional and non-traditional municipal park/facility users comply with City of Flagstaff Recreation Service's Special Event Status Policy and the Rules and Regulations.
3. Ensure that all event producers have signed contracts that outline exact expectations and limitations of their use.
4. Ensure the event is safe and creates a minimal impact on the community surrounding the event.
5. Ensure that those who do not follow rules and regulations are subject to consequences such as impact to the Status Category of the event, loss of future rental privileges, eviction from the premises, and/or termination/cancellation of event or rental contract.

C. APPLICATION CONSIDERATIONS:

All Special Event Permit Applications will be evaluated on the following:

1. Availability of municipal park/facility on requested date(s).
2. Accordance between requested municipal park/facility use and municipal park/facility's intended purpose.
3. Ability of municipal park/facility to safely accommodate event without experiencing physical or resource damage.
4. Prior history of event.

D. STATUS OF EVENT AND APPLICABLE SECURITY DEPOSITS:

All City of Flagstaff Special Event applicants will be categorized into one of the following groups and assessed variable deposits:

1. Probationary Standing – Event producers and events that were not returned a full or partial deposit the previous year due to municipal park/facility damage or Special Event Permit violations may be considered "Probationary." Events in this category will be assessed refundable cleaning/damage deposits at 150% the standard amount. If the event is conducted as agreed to in the Special Event Permit, deposits will be returned and the event or event producer will be moved to "Good Standing" for the next event or year.
2. Good Standing – Events or event producers who comply with City of Flagstaff Recreation Services' Rules and Regulations, leave the municipal park/facility in an acceptable manner, and are returned all refundable cleaning/damage deposits following their events may be considered "Good Standing." These events will be charged standard deposits as listed on the current Fee Schedule.
3. Poor Standing – If special event standards are not met while the event is in "Probationary Standing", then the event and event producer(s) will be moved into "Poor Standing." Events that acquire this status due to improper use of municipal park/facilities will lose historic precedence. Events in this category will be assessed deposits at 200% the standard amount. If the event is conducted as agreed to in the Special Event Permit, deposits will be eligible to be returned and the event or event producer may be moved to "Probationary" standing for the next event or year, however if the event is not conducted as agreed, deposits will not be returned and the event will be refused a Special Event Permit for the following event or year.
4. New Events_– New special events enter the system in Probationary Standing. These events will be charged standard deposits as listed on the current Fee Schedule.

Regardless of an event's classification within this system, events or event producers which have caused severe damage, and/or violated the law may be denied further municipal park/facility

usage at any time by the Recreation Services Director and/or Community Enrichment Services Director.

E. SPECIAL EVENT PERMIT PROCESS:

1. Prospective Event Organizers must submit a complete Special Event Application accompanied by all required documentation specific to the proposed event. Applications will not be considered without the required documentation.
2. Prospective Event Organizers must provide complete applications according to the following schedule:
 - Level A permit applications must be received by the Office of Community Events no later than ninety (90) calendar days prior to actual date of your event.
 - Level B permit applications must be received by the Office of Community Events no later than sixty (60) calendar days prior to actual date of your event.
 - Level C permit applications must be received by the Office of Community Events no later than fourteen (14) calendar days prior to actual date of your event.
3. Late applications are subject to additional fees or denial of the permit.

F. EVENT LEVEL DEFINITIONS:

Level A:

- Event may occur during a single day or multiple days.
- Event may involve street closures and detouring, impacting, or stopping of traffic.
- Admission may be charged.
- Food may be sold and/or distributed to the general public.
- Merchandise may be sold.
- There may be live entertainment.
- Extensive use of equipment (i.e. stage, sound system, booths, tents, fencing, barricades, etc).
- Event may require electricity and other utilities.
- Alcohol may be sold and/or distributed to the general public.

Level B:

- The event may occur during a single day or multiple days.
- Event may involve use of sidewalks or roads, but does not involve detouring or stopping traffic. Traffic laws are obeyed during course of event.
- Admission or entry fee may be charged.
- Food may be sold to the general public.
- Merchandise may be sold.
- There may be live entertainment.
- Moderate use of event equipment, i.e. stage, PA system, chairs, tables.
- May or may not require electricity.

Level C:

- Event will occur during a single day.
- Event will not extend beyond the municipal park/facility area.
- Event is free to the public.
- There will be no food sales.
- Food may be distributed to the general public.
- No merchandise sales.
- May or may not involve live entertainment.
- Minimal use of event equipment, i.e. PA system.
- May or may not require electricity.
- Use of carnival amusements, including but not limited to bounce houses.

G. PRIORITY OF USE

Applications will be routed and evaluated on a case-by-case basis. Priorities for assigning City-owned municipal park/facilities for special events are as follows:

- Priority 1: Events sponsored or co-sponsored by the City of Flagstaff.
- Priority 2: Events that have established historic precedence and remain in “Good Standing” or “Probationary standing”.
- Priority 3: Events organized by the Flagstaff Unified School District #1 (Per IGA).
- Priority 4: Events organized by Flagstaff based non-profit organizations with proceeds providing assistance to the organizer or another Flagstaff based non-profit organization (requires proof of nonprofit status).
- Priority 5: Events organized by private businesses, non-profit organizations not based in Flagstaff, and/or individuals for the purpose of profit, personal gain, and/or proceeds that will be used to benefit other than those Flagstaff based non-profit organizations.

H. SPECIAL REQUIREMENTS

Special requirements made by Departments on the Routing Committee will be specified, in writing, to the Event Organizer upon completion of the routing process. By signing the Permit Holder’s Agreement, the Event Organizer agrees to comply with and accepts these requirements. The City of Flagstaff retains the authority to cancel an event at any time, including when in progress, if these special requirements are not met or if public safety is jeopardized.

City Contacts for Special Events

Building Safety Electrical Permits/Generators	(928) 213-2618
City Clerk (Liquor License)	(928) 213-2076
Community Development (Private Property)	(928) 213-2641
Convention & Visitors Bureau	(928) 779-7611
Environmental Services (Trash/Recycling)	(928) 213-2110
Fire Department	(928) 213-2500
Recreation Administration	(928) 213-2300
Community Events Coordinator	(928) 213-2311 or (928) 213-2312
Parks Maintenance	(928) 774-2868
Police Department	(928) 214-2532
Risk Management (Insurance)	(928) 213-2082
Tax & Licensing (Sales Tax Permit/License)	(928) 213-2251
Traffic Engineering (Street Closures)	(928) 213-2606
Utilities/Water Needs (Customer Service)	(928) 213-2230
Utilities After-Hours Emergencies	(928) 774-0262

Community Contacts for Special Events

Coconino County Parks and Recreation/Fort Tuthill	(928) 679-8000
Coconino County Environmental Health Department	(928) 679-8750
Mountain Line Transit	(928) 779-6624
Blue Stake	(800) 782-5348
Arizona Department of Transportation	(928) 774-1491

CITY OF FLAGSTAFF – VOLUNTEER FLAGGER INFORMATIONAL HANDOUT

INTRODUCTION

Being a Flagger is an important job. A flagger has the charge to protect the lives of workmen, motorists, pedestrians, and bicyclists., on the roadway.

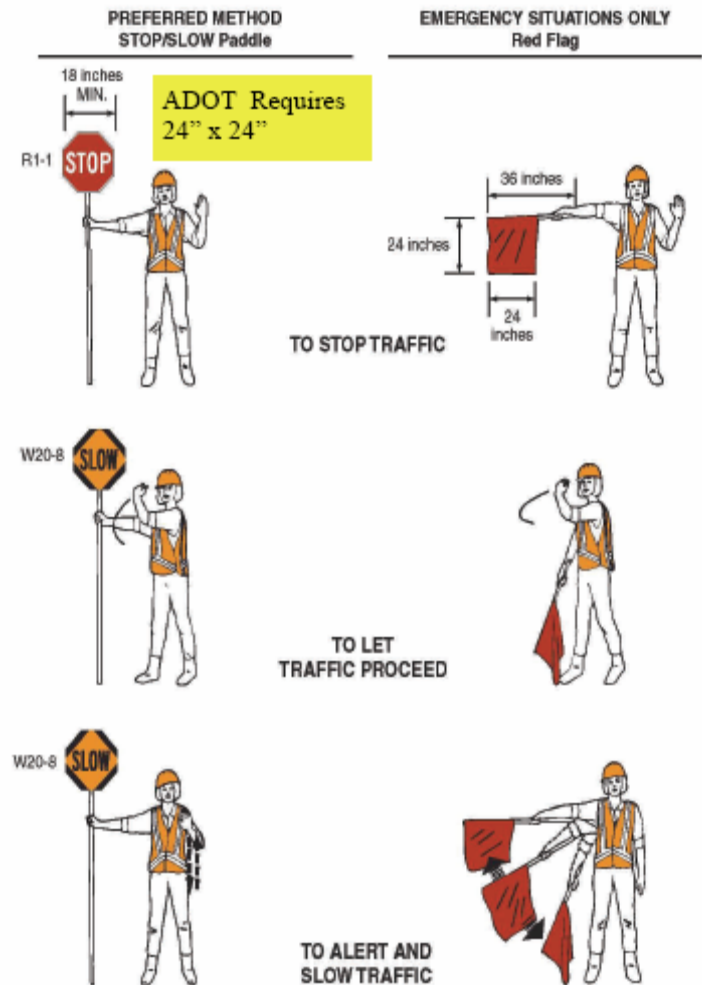
FLAGGERS SHOULD NEVER FORGET THAT LIVES, EQUIPMENT AND MATERIAL ARE IN YOUR HANDS.

FLAGGER SAFETY THINGS TO REMEMBER

1. The **JOB** is important !
2. The Flagger must be **PHYSICALLY** and **MENTALLY** strong.
3. **CLOTHING** and **TOOLS** are specified.
4. Tools include a **SMILE!**
5. Your **POSITION** and **MOTIONS** are right!
6. You know the **RULES!**
7. The **WARNING SIGNS** are proper!
8. The traffic slowed down is safer!
9. One-way Traffic requires special attention!
10. Night Time flagging requires extra equipment.

MUTCD

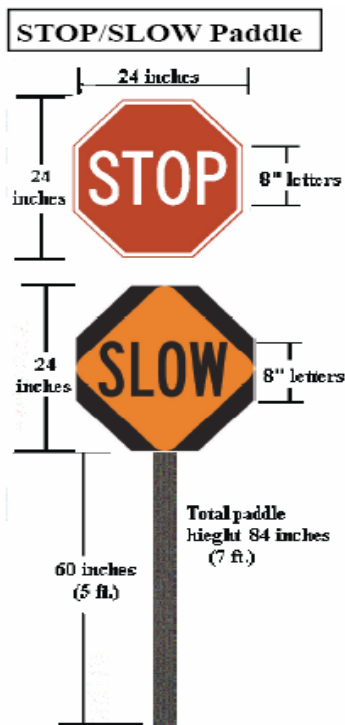
Figure 6E-3. Use of Hand-Signaling Devices by Flaggers



CITY OF FLAGSTAFF – VOLUNTEER FLAGGER INFORMATIONAL HANDOUT

THE CITY OF FLAGSTAFF PARKS & RECREATION DIVISION ALONG WITH THE CITY'S TRAFFIC ENGINEER HAVE DEVELOPED THIS FLYER TO REMIND ALL EVENT APPLICANTS AND COORDINATORS THAT ANY TRAFFIC CONTROL WHICH AFFECTS PUBLIC STREETS AND ROADS MUST BE CONTROLLED BY A CERTIFIED TRAFFIC FLAGGER, AS REQUIRED UNDER ARIZONA STATE LAW (ARS 28-653,2001) It is the event's sponsor and/or coordinator's responsibility to provide flaggers as needed and all traffic control devices per the current Manual on Uniform Traffic Control Devices (MUTCD). The City will not be held liable for the failure of any event applicant who does not provide such certified devices and trained flaggers. Training information can be found at:

http://www.azdot.gov/Inside_ADOT/Safety/Q&AInter.asp

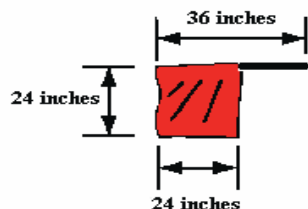


Flagger Symbol Sign



Safety Vest

A vest similar to this meets the reflective requirements of 201 sq. inches.
101½ sq. inches front
101½ sq. inches back



- Special considerations should be given to pedestrians, including those with disabilities, and bicyclists who enter the work zone and require your assistance.



- Check work zone activities, and with other flaggers prior to allowing pedestrians and bicyclists to pass through the work zone. They must be able to pass through safely.
- Have approaching traffic under your control prior to directing pedestrians or bicyclist through the work zone.

PARKS AND RECREATION COMMISSION
WEDNESDAY, JULY 18, 2012
SUMMARIZED MINUTES

MEMBERS PRESENT

Denise Burley
Gregory Kleiner
John Fall
Brian Young

MEMBERS ABSENT

Dulcie Ambrose
Charles Hammersley
Emily Outhwaite

STAFF PRESENT

Mike Abeyta
Elizabeth Anderson
Kathy Drummond
Shauna Fisher
Michael O'Connor
Steve Zimmerman

OTHERS PRESENT

Jerry Nabours, Mayor
Blake Nabours

1. CALL TO ORDER

Commissioner Young called the meeting to order at 4:00 p.m.

2. ROLL CALL

Commissioners Burley, Kleiner, Fall, and Young were present for roll call. Commissioners Ambrose, Hammersley, and Outhwaite were absent.

3. APPROVAL OF MAY 16 AND 30, 2012 MINUTES

Motion made by Commissioner Kleiner to approve the May 16 and May 30, 2012 minutes as written. Motion seconded by Commissioner Burley. Motion passed with unanimous approval (4 yeas votes).

4. PUBLIC PARTICIPATION

Jerry Nabours, Mayor, stated that a citizen recently contacted him regarding the use of a chemical bait being used at Foxglenn Park for prairie dog control. The citizen stated that she spoke with Steve Zimmerman, Parks Supervisor, who explained that according to State Law posting signs about the use of that particular product wasn't required. Mayor Nabours asked if the City had an official policy regarding posting signs when chemicals are used. Michael O'Connor, Public Works Section Head, stated this was an administrative issue and not policy driven, and he would have staff post the necessary signage to inform the public of the use of the product.

5. ACTION ITEMS

- A. APPROVAL OF AMENDMENTS TO SPECIAL EVENTS PACKET. Shauna Fisher, Aquaplex Manager, highlighted the information presented in the Commission packet. She stated that after lengthy discussion at several Council meetings, staff was asked to enhance some of their current practices regarding notification and feedback. Staff has created a Downtown Minute web link and newsletter. The Downtown Minute will be posted on both the City and Recreation websites and in the kiosks located at City Hall, Heritage Square, both Libraries, and the Aquaplex. Information in the newsletter will be updated monthly and/or will include upcoming events and Council meetings where decisions regarding a particular event will be discussed or action will be taken.

ACTION ITEMS (Cont'd.)

The existing Recreation administrative phone number will be set up so that residents and businesses may register feedback regarding special events. This number will be posted on the Recreation website and in the CityScape publication. Additionally, starting in mid July the City website will feature a "report a concern" button where the public can report issues regarding a particular event. The comments will then be forwarded to the appropriate Department for follow-up.

Deletions from the Special Event Rules and Regulations include removing the section from page 6 under Banner and Signage Guidelines where it states that alcohol banners are restricted to the "Beer Garden" and must face inward to the event area. Corrections include changing City Hall phone numbers as the City has transitioned to a new phone system. Additions include changes to pages 12 and 13 stating:

- The Applicant/Event Organizer must notify merchants and residents affected by the street closure (those residents and merchants located on the route or street closure; within the perimeter of the route or street closure; and those within a one block radius of the street closure).
- All flaggers shall be certified per ARS 28-653-2001 and shall receive and review the City of Flagstaff's Volunteer Flagger Informational Handout.

Commissioner Kleiner noted that the Downtown Minute would be updated every month and the previous e-mail distribution list was only updated two times a year. Elizabeth Anderson, Community Enrichment Services (CES) Director, stated that this item was presented to and approved by the City Council in June. There was an urgency to get the items in place before the summer season began. The changes regarding communication and community outreach is important so that neighbors and businesses get advance notice, including Council agendas. The Deputy City Manager and staff will be meeting with business owners, residents, and representatives from NAU regarding the Homecoming Parade, so we will see if it proves to be as successful a tool as we hoped.

Commissioner Young questioned how the local residents are affected and how the event organizers have done this year in terms of compliance. CES Director Anderson stated that she hasn't received any feedback from staff that compliance has been a problem. She did report that the Pride in the Pines event was the first major event and because of changes made last year regarding decibel levels and monitoring them that the City hasn't received any complaints. Motion made by Commissioner Kleiner to approve the recommended amendments to the Special Events packet. Motion seconded by Commissioner Burley. Motion passed with unanimous approval (4 yeas votes).

6. DISCUSSION/STANDING ITEMS

- A. THORPE PARK DISC GOLF COURSE. Blake Nabours, citizen, and a disc golf enthusiast, introduced himself and stated that Chris Kirby, President of the Flagstaff Disc Golf Club (FDGC) wasn't able to attend the meeting due to a conflict with his work schedule. He reported that disc golf is played much like traditional golf. Instead of a ball and clubs, players use a flying disc. The sport was formalized in the 1970's and is played by completing each hole in the fewest number of throws. He stated that it is felt by Mr. Kirby and local disc golf players that they have outgrown the course at Thorpe Park and they want to offer a partnership to expand and/or reconfigure the layout of the course. He noted that with the existing course, players have to throw across forest roads three different times to complete the game, and which they consider a safety issue.

Mr. Nabours gave a brief overview on a map of the existing course, potential improvements that could be made, as well as placing of baskets. He stated that some of the ideas the FDGA may be suggesting include creating a cloverleaf at the starting point and breaking up the existing 18 hole course to create two 9 hole courses, in addition to creating another 9 hole course. He also suggested parking could be relocated to the softball fields where there is more available parking, as opposed to Joe C. Montoya Community and Senior Center. He reported that FDGC hosts tournaments each year which brings many visitors and economic opportunities to Flagstaff.

Parks Supervisor Zimmerman stated that the City has had a very active partnership with Chris Kirby and the FDGA since approximately 1998 when the first tee baskets were installed at the Thorpe Park course. The City typically purchases supplies and equipment and FDGA members volunteer with labor, as well as keeping the courses cleaned and groomed year round.

CES Director Anderson reported that Flagstaff currently has 4 disc golf courses (Thorpe Park, Northern AZ University, Arizona Snowbowl, and McPherson Park), 2 of which are open year round. The Arizona Snowbowl and McPherson Park courses are closed in the winter months for environmental and safety reasons. There are 2 other courses, identified as object courses, one on Lake Mary Rd. and the other near Olds Munds Highway. She also reminded the Commissioners that the new Parks and Recreation Master Plan is in the process of being reviewed and if these needs are identified, they should be reflected in the plan as such.

Commissioner Kleiner asked how much impact disc golf has on an area environmentally and how many courses does Flagstaff really need with 6 already identified. Mr. Nabors reported that the goal is to design courses to have minimal impact on the environment, without removing or cutting down any trees. He feels that there can't be too many disc golf courses, as it is a free entertaining game for all ages. Commissioner Young stated that the reason to have 3 courses together would be for tournament use. He likes the appeal of a cloverleaf start area and moving the parking to the softball fields.

DISCUSSION/STANDING ITEMS (Cont'd.)

Commissioner Burley stated she would like to have a better understanding of all the costs associated with modifying and/or expanding the existing course. Parks Supervisor Zimmerman asked Mr. Nabours to ask Mr. Kirby to submit a plan with drawings, a detailed scope of work, and identify what specific tasks the club would be willing to complete, as well as what is expected of the City before August 8. Public Works Section Head O'Connor stated that with the timing of this project may coincide some other projects in the area, specifically the pipeline installation. Mr. Abeyta asked Mr. Nabours if the FDGC has experienced any issues at the McPherson disc golf course. Mr. Nabours stated that he isn't aware of any issues or problems experienced at that course.

- B. MASTER PLAN UPDATE. CES Director Anderson stated that the City Council is currently on summer recess and this item would be presented to them in early fall. Staff has been directed to present the plan to the current Council chapter by chapter as they aren't as familiar with the topic as the previous Council. She stated there was also a misunderstanding about the BBB transfers and how they are transferred for FUTS acquisition, so we have to clear that up as well. She feels that after the plan is presented to Council that they will be able to understand the importance of the document as a tool for the future of Parks and Recreation. She reported that Chair Hammersley would be present for each of those Council presentations, so he would be making verbal reports to the Commission for the next few months.
- C. BUSHMASTER PARK COMMUNITY GARDEN AND SAFETY ISSUES. Parks Supervisor Zimmerman reported that the City's working group recently met with representatives from North Country Health Center (NCHC). They have hired an Anthropologist from NAU who is completing lifestyle and health issue assessments in the Bushmaster Park neighborhoods. They will also be assessing Bushmaster Park and the design of it, including which activities citizens are engaged in and ways to engage local kids in park activities. They are hoping citizen input will help to identify changes that could be made and will be making recommendations to the Commission in the future.

He reported that there has actually been a reduction in crime in the last 2 to 3 months because of increased patrol by the Block Watch Group, the Housing Authority, and the Police Department. During daylight hours the Housing Authority Maintenance staff is able to make reports directly to the Police Department and the Block Watch group has a website where they document their patrols and observations to identify individuals who shouldn't be in the park.

CES Director Anderson asked Parks Supervisor Zimmerman if anyone was able to recognize any gang activity. He stated that he hasn't heard anything about that, but he did note that tonight's Commission meeting was posted on the Block Watch's website. CES Director Anderson asked if Parks Supervisor Zimmerman would invite a representative from the neighborhood Block Watch to come to the August meeting to report on their activities. Public Works Section Head O'Connor stated that the working group is hoping to have identified all the park needs by September and Parks Supervisor Zimmerman stated he hopes to have NCHC's final assessment report by September as well.

DISCUSSION/STANDING ITEMS (Cont'd.)

- D. INDOOR TENNIS UPDATE. CES Director Anderson stated that at a previous Commission meeting she reported that all discussions with NAU regarding an indoor tennis court option for the community were discontinued as they weren't interested in a partnership. She recently received information that they have inquired about resuming those talks and she will be scheduling a meeting with NAU staff to talk about potential partnerships and leveraging resources. Commissioner Kleiner reported that NAU has a new Athletic Director and perhaps changes may have come about because of that. When he spoke to Lisa Campos, an NAU Tennis Coach, she stated that the tennis coaches weren't aware of any potential partnerships with the City.
- E. SNOW PLAY UPDATE. CES Director Anderson reported that the previous evening City Council rejected a proposal to accept a lease agreement with lights for the Snow Play area. Mayor Nabours reported that the draft lease agreement didn't specifically identify lighting, but the proposers asked to amend the agreement with lighting as a consideration. CES Director Anderson reported it would be up to the proposers to decide if they want to continue without lights. She stated that there was a lot of community input with the majority against lighting and/or the snow play area at McMillan Mesa, including Dark Skies Coalition and Friends of Flagstaff's Future. Lowell Observatory was neutral and the Chamber of Commerce supported the concept. There wasn't any public input from parents and children, which may occur at the next meeting on September 4.

Commissioner Kleiner stated that although the Parks and Recreation Commission hasn't made a formal recommendation to Council regarding the Snow Play area, they have discussed the issue at length, as it has been a standing item on their agenda since January 2009. CES Director Anderson stated that although this Commission supports a snow play area and has talked a lot about this topic they haven't ever identified a specific location. She noted that the future standard of operation will be to receive a formal Commission recommendation before anything goes to Council for their approval. She suggested that the proposers may want to make a presentation to the Parks and Recreation Commission before they go to Council again. Public Works Section Head O'Connor suggested that they may want to make another presentation to the Planning and Zoning Commission as well.

Commissioner Burley asked if the individuals and groups opposing the snow play area have offered other recommendations or solutions to Council for consideration. CES Director Anderson stated their suggestions are to let kids sled where there is a hill. She reported that the Northern AZ Winter Recreation Task Force has identified a need for a snow play area and spent a lot of time exploring sites. She stated that a lease agreement may be approved this year, but the operation of a snow play area wouldn't be happening this winter season. Mayor Nabours stated he would ask the proposers to make a presentation at the August meeting.

DISCUSSION/STANDING ITEMS (Cont'd.)

- F. BOYS AND GIRLS CLUB OF FLAGSTAFF UPDATE. CES Director Anderson stated the lease is in effect and the Boys and Girls Club of Flagstaff will be opening their doors on July 23. They will be having an abbreviated summer program, and will be open Monday through Friday from 10:00 a.m. to 5:00 p.m. They are currently in the process of doing a registration blitz for the surrounding neighborhood, in which they aren't able to charge a membership fee to Brannen Home residents, in accordance with the lease agreement. They are scheduled to have an August grand opening with ribbon cutting ceremonies that Commissioners will be invited to attend. They are still in a large fund raising effort, and recently received a \$25,000 contribution from the National Boys and Girls Organization and several others from local banks and the Fiesta Bowl.

7. REPORTS

- A. OPEN SPACES COMMISSION UPDATE. Commissioner Fall stated that he didn't have anything new to report as the Open Spaces Commission didn't meet last month.
- B. MONTHLY HIGHLIGHTS OF PARKS AND RECREATION. Parks Manager Zimmerman reported that all fire restrictions have been lifted for City parks, and that the BBQ grills are currently being re-installed. Mike Abeyta, Senior Recreation Coordinator, at Jay Lively Activity Center reported that the Touch a Truck event was held on July 14. It was felt that participation was low because it rained during the event. There were approximately 250 participants with 150 plastic construction hats handed out to the children for participating in the event. There were 14 pieces of heavy duty equipment on display, as well as the Library's Book Mobile. The helicopter was not able to land because of the weather and all activities at the event were free to the public.

Senior Recreation Coordinator Abeyta distributed flyers on upcoming events and highlighted each of them. He reported that July is National Parks and Recreation Month and each of the Recreation Centers and program areas are providing free programs to the community throughout the month. Community Enrichment Services Director Anderson thanked Mayor Nabours for reading the Proclamation at the July 4 concert. She reported that some of the free activities offered this month are ice skating, the Concert in the Park series, and ice cream socials.

Senior Recreation Coordinator Abeyta reported that Athletics will be offering a new program this winter, the Flagstaff Coed Hockey League (FCHL), formerly known as "Train Wreck." The City will be taking the program over from a private non-profit group who has a well established program. Program costs will include officials as well as 15 competitive games for the cost of \$175 per player. An equipment program will also be offered where players can rent equipment for the season rather than buying it outright. Commissioner Kleiner asked about participant's ages and the season dates, as they were missing from the flyer.

8. INFORMATIONAL ITEMS TO AND FROM COMMISSIONERS AND STAFF

Mayor Nabours asked if the Parks and Recreation Commission had input regarding the proposed fee increases at Jay Lively Activity Center. CES Director Anderson stated that the Commission made a recommendation to City Council to approve the fees at their May 16 meeting. She reported that the Council is due to revisit the issue at their September 4 meeting. Commissioner Kleiner stated that when the Commission approved the fee increases it was felt that the increases for hockey and skating were proportional to all other recreation uses.

CES Director Anderson and Aquaplex Manager Fisher reported on the upcoming Aquaplex closure. Since the Aquaplex has been open to the public there has been an annual cleaning and maintenance closure in order to address deep cleaning and repairs associated with the heavy use of the facility throughout the year, as well as any upgrades/improvements necessary for more efficient operations.

This year, the facility will be closed from August 15-28. The reasons for this extended closure period is detailed below:

- A new coating was applied to the locker room and cabana floors in August 2011. Within four (4) weeks after installation this product began to show signs of failure, with the coating bubbling up and peeling. Dirt was also getting under the coating and was unable to be cleaned. The product has a five (5) year warranty so staff met with the vendor, AZ Industrial, to discuss options. After multiple product tests and failures, a full scale test was done on one of the cabanas with a new product, producing an effective coating. Minimal costs will be associated with the upgraded product, with color options and more significant textures available.
- The heat exchangers have been leaking steadily and repaired over the past three years, they will be retrofitted with copper piping to eliminate the potential for leaks.
- The muriatic acid injection lines for the pool are located directly above the entrance to the pump room, creating significant safety risks when entering. These lines will be moved and located over the "pit" to prevent the risk of leaks.
- The current dehumidifier system for the pool is mounted about 12 feet from the pool deck on the west facing wall of the aquatics area. These systems are intended to be at pool level to draw the humidity and chloramines from the surface of the pool. The design was changed as a result of space issues during construction. In an effort to decrease the humidity and increase the air quality, the south de-humidifier system will undergo a retro-fit. A line will be tapped into the existing structure and new duct work will be run along the west wall and down the SW corner near the cubbies. The air will then be pulled from ground level near the lap pool.

INFORMATIONAL ITEMS TO AND FROM COMMISSIONERS AND STAFF (Cont'd.)

Staff has historically selected a time for the annual cleaning when a lower participation period was expected, which is typically right after Flagstaff Unified School District has resumed classes in the fall. This time also has the least impact programmatically, since it will be between seasons and allows us to be fully operational throughout the holiday season. The floor product application is one of the driving forces for an extended closure this year. Prep work will take three to five (3-5) days, application will take up to two (2) days, followed by a seven (7) day curing period. During the two (2) day application, staff members cannot be in the facility due to health and safety concerns for VOC content. VOC content is lower than the last product, but a large scale application may increase the fumes.

In order to notify the community of this closure, Public Service Announcements will be released with the closure dates, all social media will be utilized (Facebook and Twitter), and notification will be on the City's website. Large posters and flyers will be displayed at the Aquaplex and other centers, as well as City Hall. An updated version of the Project Tracking Timeline will be posted on the Aquaplex exterior daily, so progress can be followed by the public. All work will be completed by City Facilities Maintenance staff, Recreation staff, and local contractors. Costs are estimated at \$5,000 to \$7,000, which will come from the Aquaplex FY13 operating budget.

To help accommodate patrons during this closure, all Aquaplex members will have their memberships extended by two (2) weeks and will have free use of Joe C. Montoya's and Flagstaff Recreation Center's weight room and cardio equipment during the closure. A Grand Re-Opening will be on Wednesday, September 2 (4 year anniversary). Activities will include the opportunity for participants to draw for discounted annual memberships. We also plan to host free daily admissions all day, in order to introduce the community to the newly improved Aquaplex and celebrate its anniversary.

9. AGENDA ITEMS FOR THE AUGUST 15, 2012 MEETING

- Thorpe Park Disc Golf Redesign Proposal
- Snow Play Update
- Regional Plan Update

10. ADJOURNMENT

The meeting adjourned at 5:44 p.m.

CITY OF FLAGSTAFF

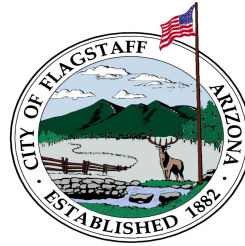
STAFF SUMMARY REPORT

To: The Honorable Mayor and Council

From: David McIntire, Permanent Affordability Administrator

Date: 09/06/2012

Meeting Date: 10/02/2012



TITLE:

Consideration and Possible Adoption of Ordinance No. 2012-15 and approval of Amendment Two to the Homebuyer Services Agreement with BOTHANDS, INC:

- i. An ordinance authorizing the City of Flagstaff to sell the almost completed improvements to real property located at 2374, 2366, 2358 and 2350 North Izabel Street to qualified homebuyers and to execute 99 year leases for the use of the land.
- ii. Approval of Amendment Two to the existing Homebuyer Services Agreement with BOTHANDS, INC for marketing and technical services associated with the sale of the units.

RECOMMENDED ACTION:

- Authorize the City of Flagstaff to enter into agreements for the sale of the improvements to real property located at 2374, 2366, 2350 and 2358 Izabel Street and execute 99-year leases for the use of the land.
- Read Ordinance No. 2012-15 for the first time by title only.
- Read Ordinance No. 2012-15 for the final time by title only. (This requires a unanimous vote of the Councilmembers present. Charter, Art. VII, Sec. 6)
- Adopt Ordinance No. 2012-15.
- Authorize the City Manager or designated staff to sign all documents necessary to carry out the provisions of Ordinance No. 2012-15.
- Approve Amendment Two to the existing Agreement for Homebuyer Services with BOTHANDS, INC.

Policy Decision or Reason for Action:

Approval of Ordinance No. 2012-15 authorizes the City to sell four homes currently near completion in the Izabel Homes subdivision to low-income homebuyers and to execute ground leases to permanently preserve the affordability. Approving Amendment 2 to the Homebuyer Services Agreement with BOTHANDS, INC. continues the successful use of a local non-profit for technical and marketing services related to the sales. A qualified household (family of five) is ready to submit an offer to purchase 2374 Izabel. The use of the ability to read twice and adopt in the same meeting will facilitate the sale which results in earlier fund recapture, earlier benefit, and reduced costs to the City.

Subsidiary Decision Points: The four units were authorized for construction by approval of the Construction Manager at Risk Contract with Loven Contracting on June 5, 2012. Previous decisions to use Community Development Block Grant (CDBG) funds for purchase and improvements limit alternative uses and require low and moderate income benefit. Council previously requested the use of external resources where possible for potential efficiencies and to generate an external face for the program which led to the successful arrangement with BOTHANDS, INC.

Financial Impact:

Ordinance 2012-15: Execution of the sale and lease for each phase will result in the recapture of the majority of the construction costs for use in developing future phases of the Izabel Homes or for other affordable housing opportunities. Additionally, a \$30-per-month lease fee will be collected per home to offset any costs incurred administering the long term affordability. Lease fees of approximately this amount are customary in land trust programs nationwide and are designed to support the program's costs without burdening the homebuyers.

Amendment Two: The total agreement for Homebuyer Services for Phase 3 is \$15,540 in direct fee for service, and 5% of proceeds from successful sales of the Izabel Homes units. This is a reduced cost per house than the previous phases. The successful sale of the homes results in recapture of the City funds used for the construction of the units and in timely community and homeowner benefit.

Connection to Council Goal:

Livability through good neighborhoods, affordable housing and varied recreational activities.

Has There Been Previous Council Decision on This:Ordinance 2012-15:

- April 20, 2010 - Original Construction Manager At Risk (CMAR) contract executed for 16 homes - first phase of three homes.
- June 7, 2011 - Authorization of second phase of three homes.
- June 5, 2012 - Third phase of four homes authorized for construction and site work remaining six lots.
- Previous decisions to use CDBG funds for the purchase of the land and improvements limit alternative uses and require low and moderate income benefit.

Amendment Two:

- December 15, 2009 - The original agreement with BOTHANDS for Homebuyer Services for all 16 Izabel Homes was approved and included the sale of the first three homes.
- June 21, 2011 - The Agreement was amended (Amendment One) to authorize the sale of the three units in Phase 2.

Options and Alternatives

Ordinance 2012-X15 Approve the sale of the improvements and execution of the ground lease. This will result in homeowner benefit and funding recapture.

- Not approve the sale of the improvements and direct staff to change the eligibility determination process or specific eligibility criteria. This will delay homeowner benefit and funding recapture and leave the homes vacant which will result in additional expenses.
- Not approve the sale and direct staff to explore other uses for the homes that could serve the eligible population. This will delay benefit and recapture, and it is unclear what other effects this action would have without additional detail about Council direction.

Amendment Two

- Approve Amendment Two to the Agreement as presented. This will result in the continuation of the successful partnership.
- Modify Amendment Two. This may delay the sale of the homes which will cost the City money and delay the benefit to the community.
- Not approve Amendment Two and provide the service through other methods. This option would require increased City staff participation, could reduce the external face promoting

broader marketing and public knowledge of the program and potentially result in the delay of the sales which would increase costs to the City.

Background/History:

Ordinance 2012-15: Izabel Homes is an affordable housing development including 16 single family detached residences in Flagstaff's Sunnyside neighborhood. The project began with City efforts to address slum and blight by purchasing the land and removing hazardous buildings where nuisance crimes were occurring near a school and recreation center. It continues as a project providing permanently affordable homeownership opportunities to working Flagstaff households. The subdivision uses the land trust model where the City retains ownership of the land and the improvements are sold to low-income households. Three homes were completed and sold to low-income homeowners in the Spring of 2011. Three more homes were built and sold to qualified homeowners in the Spring and Summer of 2012. Council approved a CMAR contract for the current phase of four homes and earthwork on the six remaining lots on June 5, 2012. An eligible household (family of 5) is ready to submit a contract for 2374 Izabel and is currently waiting for approval of this ordinance to execute the transaction, move into the home and return the expended funds to the City. The model has proven successful and uses City funds numerous times with ongoing benefit to the community's affordable housing inventory and to the construction trades and local economy. The remainder of the homes will be built in subsequent phases pending City Council approval.

Amendment Two: This amendment is the continuation of a successful relationship with BOTHANDS that has already been in place for the first two phases (6 units) of a sixteen unit agreement. Council provided direction, prior to the construction of Izabel Homes, to partner with community resources where available both for efficiencies and to provide an external face for the program. The agreement's first two phases were successful. BOTHANDS, with support from City staff, provided homebuyer identification, community and industry stakeholder education, homebuyer eligibility determination, homebuyer counseling, direct marketing and other broker services for sale of the six homes in the previous phases. Components of the agreement that require a license from the Arizona Department of Real Estate will be performed by Flagstaff Neighborhood Realty or referred to a licensed broker. BOTHANDS remains responsible for performance. BOTHANDS was the successful respondent to the RSOQ for Homebuyer Services, which includes Long Term Permanent Affordability Administration, for the sixteen units. This amendment extends the agreement into the third phase of the Izabel Homes which consists of four, single family detached homes currently under construction and scheduled for completion in November. BOTHANDS has already identified a qualified household from earlier phases. After significant support and preparation the household is prepared to submit a purchase contract for one of the new homes. BOTHANDS is also working with other interested clients.

Key Considerations:

Ordinance 2012-15: Homes will be sold for fixed prices balancing cost recapture with affordability to the eligible population. Prices are currently anticipated to be \$166,900 for each of the three bedroom units and \$180,500 for the four bedroom unit. Available assistance can bring down the mortgage to \$1,049 for a brand new energy efficient home. The lease preserves the affordability while providing equity to the homeowners as part of the Community Land Trust Program. Previous use of CDBG funds requires that the homes benefit a majority of households with incomes below 80% of the Area Median Income (AMI). The amount is adjusted annually and is currently \$50,350 for a family of four. Homes stay affordable through the land trust's appreciation restriction which allows the price of the home to increase 25% of the market growth that has occurred based on appraisals. This preserves the affordability without additional government subsidy while providing a return on the homeowner's investment. At initial sale of a home, the majority of the funds return to the City and are used for further affordable housing purposes.

Amendment Two: The Agreement for Services follows Council direction to use community expertise where possible. The original agreement is for homebuyer/owner services for 16 homes. Prior to each phase of construction, costs and responsibilities are renegotiated and an amendment executed, based on the number of units in the phase and the experiences from the previous phases. Changes from the

second to the third phase include a reduction in the cost per house for services, a different billing process, and the ability for Flagstaff Neighborhood Realty to self-perform or to refer sales to an alternative licensed broker. BOTHANDS will remain responsible for performance. This amendment brings the total number of homes managed in this way to ten. The process of marketing land trust homes, verifying the income eligibility and other criteria of potential homebuyers, providing homebuyer counseling, assisting with credit counseling, and working with the buyers from beginning to end of the transaction is one which requires significant time and knowledge. BOTHANDS has been successful in the previous phases.

Community Benefits and Considerations:

Ordinance 2012-15 The highest community benefit in this arrangement is the provision of permanently affordable housing. The use of private contractors for construction and marketing ensures that existing community strengths and capacity are utilized where appropriate and provide private sector jobs that help support the local economy. Also, building permanently affordable inventory during a time when construction costs are lower provides efficient use of resources. Previous community benefit included the removal of hazardous structures where nuisance activities occurred within proximity of a school and recreation facility.

Amendment Two: Permanent affordability provides the ongoing community benefit of affordable homeownership. The agreement with BOTHANDS uses existing community resources, provides the external face for the program that City Council directed, and helps build capacity and cooperation around permanent affordability in the community.

Community Involvement:

Ordinance 2012-15: Involve

Amendment Two: Consult

Expanded Options and Alternatives:

Ordinance 2012-15

- Approve the sale of the improvements and execution of the ground lease. This will result in homeowner benefit and funding recapture.
- Not approve the sale of the improvements and direct staff to change the eligibility determination process or specific eligibility criteria. This will delay homeowner benefit and funding recapture and leave the homes vacant which will result in additional expenses.
- Not approve the sale and direct staff to explore other uses for the homes that could serve the eligible population. This will delay benefit and recapture, and it is unclear what other effects this action would have without additional detail about Council direction.

Amendment Two

- Approve Amendment Two to the Agreement as presented. Approval of Amendment Two continues the successful partnership and helps maintain current service levels for a lower fee per house than the previous phases. It is anticipated this will provide faster and easier sales than other options which returns the City's resources and provides the benefit to the homeowners as efficiently as possible.
- Modify Amendment Two. Modification could delay the sale of the homes which would increase City costs and slow the process of recapturing the resources involved in the construction.
- Not approve Amendment Two and provide the service through other methods. This option would require a new procurement process or significantly increased involvement of City staff. It would delay the sale of the homes resulting in increased City costs and slow recapture of resources and homeowner benefit. It could also change the previous direction of ensuring an external face, or marketing avenue, to the program and to use community resources where available and appropriate.

Date of Council Approval:

Attachments: Ordinance No. 2012-15
 Amendment Two
 Amendment 2 Budget
 Amendment 2 Schedule
 Amendment 1
 Original Agreement For Services

Form Review

Inbox	Reviewed By	Date
Housing Manager	David McIntire	09/14/2012 09:46 AM
Permanent Affordability Admin (Originator)	David McIntire	09/14/2012 10:11 AM
Housing Manager	Sarah Darr	09/14/2012 10:26 AM
Real Estate Manager	Jill Trompeter	09/17/2012 12:20 PM
Purchasing Director	Rick Compau	09/17/2012 12:44 PM
Finance Director	Rick Tadder	09/17/2012 02:44 PM
Community Development Director	Mark Landsiedel	09/19/2012 10:23 AM
Legal Assistant	Vicki Baker	09/19/2012 10:49 AM
Deputy City Attorney	Michelle D'Andrea	09/19/2012 11:12 AM
DCM - Jerene Watson	Jerene Watson	09/19/2012 11:36 AM
Form Started By: David McIntire		Started On: 09/06/2012 02:09 PM
	Final Approval Date: 09/19/2012	

ORDINANCE NO. 2012-15

**AN ORDINANCE AUTHORIZING THE CITY OF FLAGSTAFF TO ENTER INTO
PURCHASE AGREEMENTS FOR THE SALE OF IMPROVEMENTS TO REAL
PROPERTY AT LOTS 4-13 IZABEL HOMES, FLAGSTAFF**

RECITALS:

WHEREAS, the City of Flagstaff (the "City") is, or will be, the owner of certain improvements constructed, or to be constructed, on the property at 2374, 2366, 2350, 2358, 2342, 2334, 2326, 2318, 2310, 2302 Izabel Street situated within the City of Flagstaff, Coconino County, Arizona, and more fully described in Exhibit A, Legal Description (the "Property"); and

WHEREAS, pursuant to Article I, Section 3 and Article VIII, Section 10 of the Flagstaff City Charter, the City may sell property not needed or not likely to be needed within a reasonable future time; and

WHEREAS, the City Council of the City of Flagstaff (i) has determined that the improvements constructed on the Property are not needed or not likely to be needed within a reasonable future time, and (ii) desires to sell whatever right, title or interest it has in improvements constructed on the Property; and

WHEREAS, to comply with requirements of Article VIII Sections 9 and 10 of the City Charter, the City has developed and utilized a fair, random and impartial process to identify the highest responsible bidder for sale and lease of the improvements to real property at predetermined prices affordable to the eligible population. The process included public advertisement, subsequent application review, lottery, and third party eligibility certification to ensure the sale and lease of real property is made according to the specific conditions Council has prescribed;

ENACTMENTS:

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLAGSTAFF
AS FOLLOWS:**

SECTION 1. That the sale or exchange of the Property, as more particularly described and depicted in Exhibit A, attached to this Ordinance, is hereby authorized.

SECTION 2. That the City Manager, the City Attorney, the City Clerk, the Finance Director, or other employees or agents as deemed necessary are hereby authorized and directed to take all steps and execute all documents necessary to carry out the purpose and intent of this Ordinance.

PASSED AND ADOPTED by the Flagstaff City Council this ____ day of _____, 2012.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

EXHIBIT A**Legal Description**

Lot 4, IZABEL HOMES, as shown on the plat thereof recorded in Case 9, Maps , 57-57A and Amended by Letter of Plat Amendment recorded in Instrument No 3297706, records of Coconino, County, Arizona.

Lot 5, IZABEL HOMES, as shown on the plat thereof recorded in Case 9, Maps , 57-57A and Amended by Letter of Plat Amendment recorded in Instrument No 3297706, records of Coconino, County, Arizona.

Lot 6, IZABEL HOMES, as shown on the plat thereof recorded in Case 9, Maps , 57-57A and Amended by Letter of Plat Amendment recorded in Instrument No 3297706, records of Coconino, County, Arizona.

Lot 7, IZABEL HOMES, as shown on the plat thereof recorded in Case 9, Maps , 57-57A and Amended by Letter of Plat Amendment recorded in Instrument No 3297706, records of Coconino, County, Arizona.

Lot 8, IZABEL HOMES, as shown on the plat thereof recorded in Case 9, Maps , 57-57A and Amended by Letter of Plat Amendment recorded in Instrument No 3297706, records of Coconino, County, Arizona.

Lot 9, IZABEL HOMES, as shown on the plat thereof recorded in Case 9, Maps , 57-57A and Amended by Letter of Plat Amendment recorded in Instrument No 3297706, records of Coconino, County, Arizona.

Lot 10, IZABEL HOMES, as shown on the plat thereof recorded in Case 9, Maps , 57-57A and Amended by Letter of Plat Amendment recorded in Instrument No 3297706, records of Coconino, County, Arizona.

Lot 11, IZABEL HOMES, as shown on the plat thereof recorded in Case 9, Maps , 57-57A and Amended by Letter of Plat Amendment recorded in Instrument No 3297706, records of Coconino, County, Arizona.

Lot 12, IZABEL HOMES, as shown on the plat thereof recorded in Case 9, Maps , 57-57A and Amended by Letter of Plat Amendment recorded in Instrument No 3297706, records of Coconino, County, Arizona.

Lot 13, IZABEL HOMES, as shown on the plat thereof recorded in Case 9, Maps , 57-57A and Amended by Letter of Plat Amendment recorded in Instrument No 3297706, records of Coconino, County, Arizona.

AMENDMENT TWO

Agreement for Services between City of Flagstaff and BOTHANDS, INC.

The following Amendment is incorporated into and made a part of the Agreement between the City of Flagstaff ("City") and BOTHANDS, Inc. ("Provider"), dated January 15, 2010 (the "Agreement"), by mutual agreement of the Parties as set forth below, with new text underlined and deleted text stricken through.

1. Section 2, Compensation of Provider, is amended as follows:

2.1 Provider agrees to perform all of the work described above for the sum of Fifteen Thousand, Five Hundred and Forty Dollars (\$15,540) for services and a five percent (5%) commission on completed sales to the listing broker. To request payments for services, Provider will submit the Request for Payment Forms in the format attached to this Agreement as Exhibit B. Commissions will be paid as part of the closing on each home in accordance with Arizona Department of Real Estate regulations. Provider will submit all payment requests by line item and activity in conformance with the budget attached to this Agreement as Exhibit C and incorporated in this Agreement by reference.

2. Exhibit A, Scope of Services, is amended as follows:

Scope of Services

1. Project Description

The intent of permanent affordability is to provide homeownership opportunities that balance the benefit to the homebuyer with the benefit to the public. Included in that intention are two major components defined as the Izabel Homebuyer / Owner Services and the Long-term Permanent Affordability Relationship.

The Izabel Homebuyer / Owner Services Agreement focuses on identifying and preparing homebuyers who are eligible and ready for homeownership. The Provider will assist the homebuyer through the process from outreach and counseling to the actual closing and purchase of the unit. The Agreement and Amendments One and Two are for Izabel Homebuyer Services

for 16 homes. Amendment Two is specifically for the four units (Phase 3) under construction as the current phase of the Izabel Homes project. These are single family homes that are scheduled for development and inclusion in the City's Community Land Trust Program (CLTP).

2. Scope of Services

There are four main categories of Home Buyer / Owner Services relevant to this second contract phase: 1) Homebuyer Identification and Eligibility Certification, 2) Pre-Purchase Individual Homebuyer Counseling, 3) Marketing and Sale and 4) General Responsibilities. Provider will be expected to comply with all applicable laws and regulations and is responsible for providing all agreed to services either through self-performance or sub-contracting. There will be no limit to the amount of self-performance allowed by the City of Flagstaff and all sub-contracting must be procured according to City procurement and other applicable standards.

[Sections 2.1 and 2.2 remain as provided in Amendment One.]

2.3 Marketing and Sale as Listing Broker

Provider will, through an Arizona Department of Real Estate (ADRE) licensed broker partner, provide services as Listing Broker for the four homes. Services will include, but not be limited to, marketing, disclosures and purchase contract services. Listing broker will receive compensation through sales commissions provided directly from escrow to listing broker per ADRE regulations and standards. Provider will be responsible for listing broker's performance under this contract, and agrees that the commission and sales compensation listed in the budget is to be provided directly to listing broker for services listed under Section 2.3. Provider will coordinate with listing broker to provide seamless marketing/buyer information to the City on a regular basis, as it is understood that the relationship between sales and homebuyer qualification and counseling is a close one that requires coordination and ongoing communication.

Except as modified by this Amendment Two, the Agreement as modified by Amendment One remains in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date set forth below.

City of Flagstaff

BOTHANDS, Inc.

Gerald W. Nabours, Mayor

Devonna McLaughlin
Executive Director

Attest:

City Clerk

Approved as to form:

Date of Execution:

City Attorney

Izabel Homebuyer Services Budget - Phase III

Marketing/Coordination w/ City & Partners			
	Revise marketing plan & get city approval	Est. 50 hrs x \$60/hr	\$3,000
	Revise intake/application plan & get approval		
	Marketing analysis & ongoing monitoring		
	Coordination & planning meetings		
	Networking & outreach w/ lender & Realtor partners		

Client Counseling/Education			
	Counseling through application to closing - paid through flat fee once home closes	\$2,580/house sold	\$10,320

Audit/Accounting/Reporting			
	Audit/Accounting		\$1,500
	Reporting & Oversight	12 hrs x \$60/hr	\$720

Total Eligibility & Counseling **\$15,540**

Sales			
	2.5% to represent seller in transaction	\$680,000 (total sales) x 2.5%	\$17,000
	2.5% to represent buyer in transaction	\$680,000 (total sales) x 2.5%	\$17,000

Total Commission **\$34,000**

Total **\$49,540**

AMENDMENT ONE

Agreement for Services Between City of Flagstaff and BOTHANDS, INC.

The following Amendment is incorporated into and made a part of the Agreement between the City of Flagstaff ("City") and BOTHANDS, Inc. ("Provider"), dated _____, 20__ (the "Agreement"), by mutual agreement of the Parties as set forth below, with new text underlined and deleted text stricken through.

1. Section 2, Compensation of Provider, is amended as follows:

2.1 Provider agrees to perform all of the work described above for the sum of Fifteen Thousand, Five Hundred and Forty Dollars (\$15,540) for services and a five percent (5%) commission on completed sales. To request payments for services, Provider will submit the Request for Payment Forms in the format attached to this Agreement as Exhibit B. Commissions will be paid as part of the closing on each home in accordance with Arizona Department of Real Estate regulations. Provider will submit all payment requests by line item and activity in conformance with the budget attached to this Agreement as Exhibit C and incorporated in this Agreement by reference.

2.3 If Provider requires variances from the budget in Exhibit C, Provider will submit a new budget to the City with a written request for authorization of a budget amendment. City staff is authorized to approve or reject budget amendments.

2.2 Provider agrees that any unexpended funds which have been advanced to the Provider by the City and which remain in Provider's possession at the end of the term of this Agreement will be refunded to the City within fifteen (15) days after termination of the Agreement.

2. Section 4, Notice Provisions, is amended as follows:

Notice. Any notice concerning this Agreement must be in writing and sent by certified or registered mail as follows:

To the City's Authorized Representative:

Sarah Darr, Housing Manager
City of Flagstaff
211 W. Aspen
Flagstaff, Arizona 86001

To the Provider:

Devonna McLaughlin
Executive Director
BOTHANDS, Inc
2304 North Third Street
Flagstaff, AZ 86004

3. Exhibit A, Scope of Services, is amended as follows:

Scope of Services

1. Project Description

The intent of permanent affordability is to provide homeownership opportunities that balance the benefit to the homebuyer with the benefit to the public. Included in that intention are two major components defined as the Izabel Homebuyer / Owner Services and the Long-term Permanent Affordability Relationship.

The Izabel Homebuyer / Owner Services focuses on identifying and preparing homebuyers who are eligible and ready for homeownership. The Provider will assist the homebuyer through the process from outreach and counseling to the actual closing and purchase of the unit. The Agreement and Amendment One are for Izabel Homebuyer Services for 16 homes and specifically for the second 3 units (Phase 2) scheduled as the next phase of the Izabel Homes project. These are single family homes that are scheduled for development and inclusion in the City's Community Land Trust Program (CLTP).

2. Scope of Services

There are four main categories of Home Buyer / Owner Services relevant to this second contract phase: 1) Homebuyer Identification and Eligibility Certification, 2) Pre-Purchase Individual Homebuyer Counseling, 3) Marketing and Sale as Listing Broker, and 4) General Responsibilities. Provider will be expected to comply with all applicable laws and regulations and is responsible for providing all agreed to services either through self-performance or sub-contracting. There will be no limit to the amount of self-performance allowed by the City of Flagstaff and all sub-contracting must be procured according to City procurement and other applicable standards.

2.1 HOMEBUYER IDENTIFICATION AND ELIGIBILITY CERTIFICATION

Homebuyer identification services include:

- 2.1.1 Program Marketing and Outreach. The Provider will revise, as appropriate, the existing marketing plan and receive City approval of the revised plan. The provider, in coordination with complementary efforts from the City, will provide services to market the program, conduct outreach, and ensure equal opportunity in outreach efforts. Provider marketing responsibilities include: coordinating efforts with City staff, displaying the City of Flagstaff logo anytime the program is mentioned or advertised, presenting the program and available homes to industry professionals and disseminating information through local media.
- 2.1.2 Provider will offer excellent customer service and respond to questions and inquiries regarding the available homes, the program and the selection and purchase processes. Provider will maintain the overall public contact role for the Community Land Trust Program.
- 2.1.3 Provider will provide homebuyer education, according to a mutually agreed upon

curriculum.

- 2.1.4 Provider will be responsible for revision, as appropriate, and implementation of an application intake plan acceptable to the City of Flagstaff.
- 2.1.5 Provider will conduct eligibility determination for households applying to the City's Community Land Trust Program (CLTP) as established by Resolution No. 2006-30, attached as Exhibit E to the Agreement and incorporated by reference in the Agreement. Income eligibility determination shall consistently utilize one of the HUD recognized methods provided in the "Technical Guide for Determining Income and Allowances for the HOME Program: Third Edition – January 2005" or its successor and augmented additional criteria specific to the program the applicant is applying for.
- 2.1.6 Provider will, with support from the City, design and implement a fair and impartial process, consistent with the City Charter, to select the order in which eligible applicants will be given the option to purchase a unit. Provider will communicate to applicants their eligibility and selection status during the process.

2.2 PRE-PURCHASE INDIVIDUAL HOMEBUYER COUNSELING

Provider will provide pre-purchase individualized homebuyer counseling including:

- 2.2.1 In addition to homebuyer education, the Provider shall provide one-on-one assistance to potential clients in solving problems associated with credit, debt, income, foreclosure prevention, and other issues that arise throughout the home buying process.

Provider will create and maintain a relationship with identified homebuyers to continue through the close of each home and will ensure that appropriate homebuyers have the knowledge and resources needed to avoid difficulties in the last weeks prior to purchase.

2.3 Marketing and Sale as Listing Broker

Provider will, through the Arizona Department of Real Estate (ADRE) licensed broker Flagstaff Neighborhood Realty (FNR), provide services as Listing Broker for the three homes. Services will include, but not be limited to, marketing, disclosures and purchase contract services. Provider will receive compensation through sales commissions provided directly from escrow to FNR per ADRE regulations and standards. Provider will be responsible for FNR's performance under this contract, and agrees that the commission and sales compensation listed in the budget is to be provided directly to FNR for services listed under Section 2.3.

2.4 GENERAL RESPONSIBILITIES

General responsibilities include:

The Provider will provide all of the necessary services, personnel, office space, meeting space, and supplies to carry out the daily tasks of ensuring that the project progresses satisfactorily and all of the administrative functions associated with the project are properly executed in accordance with the Agreement and the requirements of the City of Flagstaff. Provider responsibilities include:

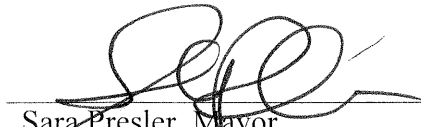
- 2.3.1 Creating project files detailing expenses, procurement, project information, correspondence, and other information which City may require;
- 2.3.2 Submitting applicable reports to the Housing Section;
 - 2.3.2.1 Keeping client files detailing eligibility, income information, and other information which City may require;
 - 2.3.2.2 Record retention to be maintained by agency administering long term affordability;
 - 2.3.2.3 Pre-purchase file to be transferred to the City of Flagstaff at the close of the scope of work, or as requested by the City of Flagstaff.
- 2.3.3 Maintaining project accounting, including but not limited to documentation of expenditures and receipts;
- 2.3.4 Managing personnel;
- 2.3.5 Providing copies of completed audits to the City;
- 2.3.6 Providing oversight of the project to ensure a cost effective and efficient delivery of services;
- 2.3.7 Ensuring an open public process is conducted in all outreach activities and equal opportunity is provided to all persons regardless of race, color, sex, religion, handicap, familial status or national origin;
- 2.3.8 Maintenance of applicable certifications;
- 2.3.9 Provision of professional communication, client confidentiality and customer service;
- 2.3.10 Cooperation with City staff to adapt the program to market, legal and unforeseen challenges;
- 2.3.11 Coordination with the City and its design / development partners during construction regarding phasing, market demand and conditions, and marketing during construction;

2.3.12 Preparation of necessary loan documents to be recorded through escrow.

Except as modified by this Amendment One, the Agreement remains in full force and effect.
IN WITNESS WHEREOF, the parties have executed this Agreement as of the date set forth below.

City of Flagstaff

BOTHANDS, Inc.

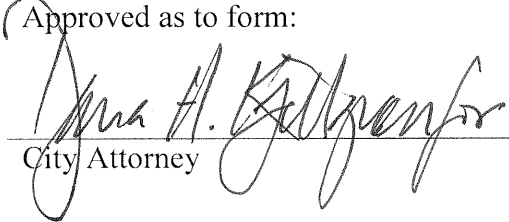

Sara Presler, Mayor


Devonna McLaughlin
Executive Director

Attest:


Marge Brown
City Clerk

(Approved as to form:


Anna H. Gilman
City Attorney

Date of Execution:

7-18-19

AGREEMENT FOR SERVICES

CITY OF FLAGSTAFF and BOTHANDS, INC.

This Agreement for Services ("Agreement") is made by and between the City of Flagstaff (the "City"), a municipal corporation with offices at 211 W. Aspen Avenue, Flagstaff, Coconino County, Arizona, and BOTHANDS, Inc, an Arizona nonprofit corporation with offices at 2304 North Third Street, Flagstaff AZ 86004 (the "Provider"), effective as of the date written below.

RECITALS

- A. The City desires to enter into an agreement in order to obtain Home Buyer / Owner Services for sixteen (16) homes necessary for permanently affordable housing units at the City's Izabel Homes site; and
- B. Provider has available and offers to provide personnel and facilities necessary to accomplish the work within the required time in accordance with a schedule included in this Agreement;

For the reasons recited above, and in consideration of the mutual covenants contained in this Agreement, the City and Provider agree as follows:

1. SERVICES TO BE PERFORMED BY PROVIDER

Provider agrees to perform all services as outlined in Provider's Scope of Services, attached as Exhibit A.

2. COMPENSATION OF PROVIDER

2.1 Provider agrees to perform all of the work described above for the sum of Thirty Seven Thousand, Two Hundred and Eighty Four Dollars (\$37,284). To request payments, Provider will submit the Request for Payment Forms in the format attached to this Agreement as Exhibit B. Provider will submit all payment requests by line item and activity in conformance with the budget attached to this Agreement as Exhibit C and incorporated in this Agreement by reference.

2.3 If Provider requires variances from the budget in Exhibit C, Provider will submit a new budget to the City with a written request for authorization of a budget amendment. City staff is authorized to approve or reject budget amendments.

2.2 Provider agrees that any unexpended funds which have been advanced to the Provider by the City and which remain in Provider's possession at the end of the term of this Agreement will be refunded to the City within fifteen (15) days after termination of the Agreement.

3. RIGHTS AND OBLIGATIONS OF PROVIDER

3.1 Independent Contractor. The parties agree that the Provider performs specialized services and that Provider enters this Agreement with the City as an independent contractor. Nothing in this Agreement shall

be construed to constitute the Provider or any of Provider's agents or employees as the agent, employee or representative of the City. As an independent contractor, Provider is solely responsible for all work and expenses in connection with this Agreement and for any and all damages arising out of this Agreement.

3.2 Provider's Control of Work. All services to be provided by Provider will be performed at Provider's place of business or as otherwise determined by Provider. Provider will furnish the qualified personnel, materials, equipment and other items necessary to carry out the terms of this Agreement. Provider will be responsible for and in full control of the work of all such personnel.

3.3 Reports to the City. Although the Provider is responsible for control and supervision of work performed under this Agreement, the work provided must be acceptable to the City and will be subject to a general right of inspection and supervision to ensure satisfactory completion. This right of inspection and supervision will include, but not be limited to a bimonthly activity report to be provided by Provider to the City and the right of the City to audit Provider's records.

3.4 Compliance with All Laws. Provider will comply with all applicable laws, ordinances, rules, regulations and executive orders of the federal, state and local government, which may affect the performance of this Agreement. Any provision required by law, ordinances, rules, regulations, or executive orders to be inserted in this Agreement shall be deemed inserted, whether or not such provisions appear in this Agreement

4. NOTICE PROVISIONS

Notice. Any notice concerning this Agreement must be in writing and sent by certified or registered mail as follows:

To the City's Authorized Representative:

Sarah Darr, Housing Manager
City of Flagstaff
211 W. Aspen
Flagstaff, Arizona 86001

To the Provider:

Helen Hudgens-Ferrell, Executive Director
BOTHANDS, Inc
2304 North Third Street
Flagstaff, AZ 86004

5. INDEMNIFICATION

To the fullest extent permitted by law, Provider agrees to indemnify, defend and hold harmless the City from and against any and all claims, losses, liability, costs or expenses arising out of this Agreement but only to the extent that such claims are caused by the act, omission, negligence, misconduct or other fault of the Provider. The amount and type of insurance required (Section, 6. Insurance) will not be construed as limiting the scope of the indemnity in this Agreement.

6. INSURANCE

6.1 General Provisions. The Provider and its Subcontractors, at Provider's and Subcontractor's own expense, shall purchase and maintain the herein stipulated minimum insurance with companies duly licensed, possessing a current A.M. Best, Inc. Rating of A-, 7, or approved by the City and licensed in the State of Arizona with policies and forms satisfactory to the City.

6.1.1 All insurance required herein shall be maintained in full force and effect until all work or service required to be performed under the terms of the Agreement is satisfactorily completed and formally accepted; failure to do so may, at sole discretion of the City, constitute a material breach of this Agreement.

6.1.2 The Provider's insurance shall be primary insurance as respects the City, and any insurance or self-insurance maintained by the City shall not contribute to it.

6.1.3 Provider shall not fail to comply with the claim reporting provisions of the insurance policies or cause a breach of any insurance policy warranty, which would affect coverage afforded under insurance policies to protect the City.

6.1.4 The insurance policies, except Worker's Compensation, shall contain a waiver of transfer rights of recovery (subrogation) against the City, its agents, representatives, directors, officers, and employees for any claims arising out of the Provider's negligent acts, errors, mistakes, omissions, work or service.

6.1.5 The insurance policies may provide coverage, which contain deductibles or self-insured retentions. Such deductible and/or self-insured retentions shall not be applicable with respect to the coverage provided to the City under such policies. The Provider shall be solely responsible for the deductible and/or self-insured retention and the City, at its option, may require the Provider to secure payment of such deductibles or self-insured retentions by a Surety Bond or an irrevocable and unconditional letter of credit.

6.1.6 The City reserves the right to request and to receive, within 10 working days, certified copies of any or all of the herein required insurance policies and/or endorsements. The City shall not be obligated, however, to review same or to advise Provider of any deficiencies in such policies and endorsements, and such receipt shall not relieve Provider from, or be deemed a waiver of the City's right to insist on, strict fulfillment of Provider's obligations under this Agreement.

6.1.7 The insurance policies, except Worker's Compensation, required by this Agreement, shall name the City, its agents, representatives, officers, directors, officials and employees as Additional Insured.

6.2 Required Coverage: Commercial General Liability

6.2.1 Provider shall maintain Commercial General Liability insurance with a limit of not less than \$1,000,000 for each occurrence with a \$1,000,000 Products/Completed Operations Aggregate and a \$2,000,000 General Aggregate Limit. The Policy shall include coverage for bodily injury, broad form property damage, personal injury, products and completed operations and blanket contractual coverage. Coverage will be at least as broad as Insurance Service Office, Inc. Policy Form CG 00011093 or any replacements thereof.

6.2.2 Such policy shall contain a severability of interest provision, and shall not contain a sunset provision or commutation clause, nor any provision, which would serve to limit third party action over claims.

6.2.3 The Commercial General Liability additional insured endorsement shall be at least as broad as the Insurance Office, Inc.'s Additional Insured, Form B, CG 20101185, and shall include coverage for Provider's operations and products and completed operations.

6.3 Required Coverage: Automobile Liability. Provider shall maintain Commercial/Business Automobile Liability insurance with a combined single limit for bodily injury and property damage of not less than \$1,000,000 each occurrence with respect to the Provider's any owned, hired, and non-owned vehicles

assigned to or used in performance of the Provider's work. Coverage will be at least as broad as coverage code 1, "any auto", (Insurance Service Office, Inc. Policy Form CA 00011293, or any replacements thereof).

6.4 Worker's Compensation. The Provider shall carry Worker's Compensation insurance to cover obligations imposed by federal and state statutes having jurisdiction of Provider's employees engaged in the performance of the work or services; and Employer's Liability insurance of not less than \$100,000 for each accident, \$100,000 disease for each employee, and \$500,000 disease policy limit.

6.4.1 In case any work is subcontracted, the Provider will require the Subcontractor to provide Worker's Compensation and Employer's Liability to at least the same extent as required of the Provider.

6.5 Certificates of Insurance. Prior to commencing work or services under this Agreement, Provider shall furnish the City with Certificates of Insurance, or formal endorsements as required by the Agreement, issued by Provider's insurer(s), as evidence that policies providing the required coverage, conditions and limits required by this Agreement are in full force and effect.

6.5.1 In the event any insurance policy(ies) required by this Agreement is (are) written on a "claims made" basis, coverage shall extend for two years past completion and acceptance of the Provider's work or services and as evidenced by annual Certificates of Insurance.

6.5.2 If a policy does expire during the life of the Agreement, a renewal certificate must be sent to the City fifteen (15) days prior to the expiration date.

6.5.3 All Certificates of Insurance shall be identified with project number and project name. A \$25.00 administrative fee will be assessed for all certificates received without the appropriate project number and project name.

6.6 Cancellation and Expiration Notice. The insurance required shall not expire, be cancelled, or materially changed without thirty (30) days' written notice to the City.

7. DEFAULT AND TERMINATION

7.1 Events of Default Defined. The following will be Events of Default under this Agreement:

7.1.1 Any material misrepresentation made by the Provider to the City;

7.1.2 Any failure by the Provider to perform its obligations under this Agreement including, but not limited to, the following:

7.1.2.1 Failure to commence work at the time(s) specified in this Agreement due to a reason or circumstance within the Provider's reasonable control;

7.1.2.2 Failure to perform the work with sufficient personnel and equipment or with sufficient equipment to ensure completion of the work within the specified time due to a reason or circumstance within the Provider's reasonable control;

7.1.2.3 Failure to perform the work in a manner reasonably satisfactory to the City;

7.1.2.4 Failure to promptly correct or re-perform within a reasonable time work that was rejected by the City as unsatisfactory or erroneous;

7.1.2.5 Discontinuance of the work for reasons not beyond the Provider's reasonable control;

7.1.2.6 Failure to comply with a material term of this Agreement, including, but not limited to, the provision of insurance; and

7.1.2.7 Any other acts specifically stated in this Agreement as constituting a default or a breach of this Agreement.

7.2 Remedies.

7.2.1 Upon the occurrence of any Event of Default, the City may declare the Provider in default under this Agreement. The City will provide written notification of the Event of Default and any intention of the City to terminate this Agreement. Upon the giving of notice, the City may invoke any or all of the following remedies:

7.2.1.1 The right to cancel this Agreement as to any or all of the services yet to be performed;

7.2.1.2 The right of specific performance, an injunction or any other appropriate equitable remedy;

7.2.1.3 The right to monetary damages;

7.2.1.4 The right to withhold all or any part of the Provider's compensation under this Agreement;

7.2.1.5 The right to deem the Provider non-responsive in future contracts to be awarded by the City; and

7.2.1.6 The right to seek recoupment of public funds spent for impermissible purposes.

7.2.2 The City may elect not to declare an Event of Default or default under this Agreement or to terminate this Agreement upon the occurrence of an Event of Default. The parties acknowledge that this provision is solely for the benefit of the City, and that if the City permits the Provider to continue to provide the Services despite the occurrence of one or more Events of Default, the Provider shall in no way be relieved of any of its responsibilities or obligations under this Agreement, nor shall the City be deemed to waive or relinquish any of its rights under this Agreement.

7.3 Right to Offset. Any excess costs incurred by the City in the event of termination of this Agreement for default, or in the event the City exercises any of the remedies available to it under this Agreement, may be offset by use of any payment due for services completed before termination of this Agreement for default or the exercise of any remedies. If the offset amount is insufficient to cover excess costs, the Provider will be liable for and will remit promptly to the City the balance upon written demand from the City.

8. GENERAL PROVISIONS

8.1 Headings. The article and section headings contained herein are for convenience in reference and are not intended to define or limit the scope of any provision of this Agreement.

8.2 Jurisdiction and Venue. This Agreement shall be administered and interpreted under the laws of the State of Arizona. The Provider hereby submits itself to the original jurisdiction of those courts located within Coconino County, Arizona.

8.3 Attorney's Fees. If suit or action is initiated in connection with any controversy arising out of this Agreement, the prevailing party shall be entitled to recover in addition to costs such sum as the court may adjudge reasonable as attorney fees, or in event of appeal as allowed by the appellate court.

8.4 Severability. If any part of this Agreement is determined by a court to be in conflict with any statute or constitution or to be unlawful for any reason, the parties intend that the remaining provisions of this Agreement shall remain in full force and effect unless the stricken provision leaves the remaining Agreement unenforceable.

8.5 Assignment. This Agreement is binding on the heirs, successors and assigns of the parties hereto. The Agreement may not be assigned by either the City or Provider without prior written consent of the other.

8.6 Conflict of Interest. The Provider covenants that it presently has no interest and shall not acquire any interest, direct or indirect, that would conflict in any manner or degree with the performance of services required to be performed under this Agreement. The Provider further covenants that in the performance of this Agreement it will not engage any employee or apprentice having any such interest.

8.7 Authority to Contract. Each party represents and warrants that it has full power and authority to enter into this Agreement and perform its obligations hereunder, and that it has taken all required acts or actions necessary to authorize entering into this Agreement.

8.8 Integration; Amendment. This Agreement represents the entire understanding of City and Provider as to those matters contained in the Agreement, and no prior oral or written understanding shall be of any force or effect with respect to those matters. This Agreement may not be modified or altered except in writing signed by duly authorized representatives of the parties.

8.9 Nonappropriation. In the event that no funds or insufficient funds are appropriated and budgeted in any fiscal period of the City for payments to be made under this Agreement, the City will notify the Provider of such occurrence, and this Agreement will terminate on the earlier of the last day of the fiscal period for which sufficient appropriation was made or whenever the funds appropriated for payment under this Agreement are exhausted. No payments shall be made or due to the provider under this Agreement beyond these amounts appropriated and budgeted by the City to fund payments under this Agreement.

8.10 Mediation. If a dispute arises out of or relates to this Agreement, and if the dispute cannot be settled through negotiation, the parties agree first to try in good faith to resolve the dispute by mediation before resorting to litigation or some other dispute resolution procedure. Mediation will take place in Flagstaff, Arizona, will be self-administered, and will be conducted under the CPR Mediation Procedures established by the CPR Institute for Dispute Resolution, 366 Madison Avenue, New York, NY 10017, (212) 949-6490, www.cpradr.org, with the exception of the mediator selection provisions, unless other procedures are agreed upon by the parties. Unless the parties agree otherwise, the mediator(s) shall be selected from panels of mediators trained under the Alternative Dispute Resolution Program of the Coconino County Superior Court. Each party agrees to bear its own costs in mediation. The parties will not be obligated to mediate if an indispensable party is unwilling to join the mediation. This mediation provision is not intended to constitute a waiver of the parties' right to initiate legal action if a dispute is not resolved through good faith negotiation or mediation, or if a party seeks provisional relief under the Arizona Rules of Civil Procedure.

9. DURATION OF THE AGREEMENT


This Agreement shall become effective on and from the day and year executed by the parties, indicated below, and shall continue, in accordance with the Schedule of Completion attached to this Agreement as Exhibit D, in force for one year, unless sooner terminated as provided above. Upon mutual agreement between the City and Provider, this Agreement may be renewed for four additional one year terms.


10. COMPLIANCE WITH ALL LAWS

Provider shall comply with all federal, state and municipal laws, rules, ordinances, regulations and orders applicable to this Agreement and Provider's performance under this Agreement, including but not limited to those provisions of the Arizona Revised Statutes referred to in Exhibit F, attached and incorporated in this Agreement by reference.

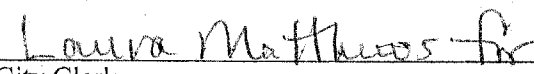
City of Flagstaff

BOTHANDS, Inc., Provider

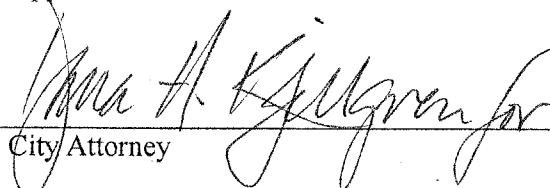

Sara Presler, Mayor of Flagstaff


Helen Hudgens-Ferrell, Executive Director

Attest:


City Clerk

Approved as to form:


City Attorney

Date of Execution: 1/15/2010

EXHIBIT A

Scope of Services

Scope of Services

1. Project Description

The intent of permanent affordability is to provide homeownership opportunities that balance the benefit to the homebuyer with the benefit to the public. Included in that intention are two major components defined as the Izabel Homebuyer Services and the Long-term Permanent Affordability Relationship.

The Izabel Homebuyer Services focuses on identifying and preparing homebuyers who are eligible and ready for homeownership. The Provider will assist the homebuyer through the process from outreach and counseling to the actual closing and purchase of the unit. The contract is for Izabel Homebuyer Services for 16 homes with the first 3 units scheduled as the initial phase of the Izabel Homes project and specific to this scope of work. The units in this project must serve low and moderate income households, defined as households with incomes not to exceed 80% of the Area Median Income (AMI) as defined for Coconino County by the U.S. Department of Housing and Urban Development. Exceptions to the 80% AMI requirement must be submitted in writing for approval by the Housing Manager. These are single family homes that are scheduled for development and inclusion in the City's Community Land Trust Program (CLTP).

2. Scope of Services

There are three main categories of Home Buyer / Owner Services relevant to this first contract phase: 1) Homebuyer Identification and Eligibility Certification, 2) Pre-Purchase Individual Homebuyer Counseling, and 3) General Responsibilities. Provider will be expected to comply with all applicable laws and regulations and is responsible for providing all agreed to services either through self-performance or sub-contracting. There will be no limit to the amount of self-performance allowed by the City of Flagstaff and all sub-contracting must be procured according to City procurement and other applicable standards.

2.1 HOMEBUYER IDENTIFICATION AND ELIGIBILITY CERTIFICATION

Homebuyer identification services include:

- 2.1.1 Program Marketing and Outreach. The Provider will develop a marketing plan acceptable to the City. The provider, in coordination with complementary efforts from the City, will provide services to market the program, conduct outreach, and ensure equal opportunity in outreach efforts. Provider marketing responsibilities include: coordinating efforts with City staff, displaying the City of Flagstaff logo anytime the program is mentioned or advertised, presenting the program and available homes to industry professionals and disseminating information through local media.
- 2.1.2 Provider will offer excellent customer service and respond to questions and inquiries regarding the available homes, the program and the selection and purchase processes. Provider will maintain the overall public contact role for the Community Land Trust Program.
- 2.1.3 Provider will provide homebuyer education, according to a mutually agreed upon curriculum.
- 2.1.4 Provider will be responsible for design and implementation of an application intake plan acceptable to the City of Flagstaff. Provider application intake responsibilities include but are not limited to: development of program application and development of written application processing procedures.

- 2.1.5 Provider will conduct eligibility determination for households applying to the City's Community Land Trust Program (CLTP) as established by Resolution No. 2006-30, attached as Exhibit E to the Agreement and incorporated by reference in the Agreement. Income eligibility determination shall consistently utilize one of the HUD recognized methods provided in the "Technical Guide for Determining Income and Allowances for the HOME Program: Third Edition – January 2005" or its successor and augmented additional criteria specific to the program the applicant is applying for.
- 2.1.6 Provider will, with support from the City, design and implement a fair and impartial process, consistent with the City Charter, to select the order in which eligible applicants will be given the option to purchase a unit. Provider will communicate to applicants their eligibility and selection status during the process.

2.2 PRE-PURCHASE INDIVIDUAL HOMEBUYER COUNSELING

Provider will provide pre-purchase individualized homebuyer counseling including:

- 2.2.1 In addition to homebuyer education, the Provider shall provide one-on-one assistance to potential clients in solving problems associated with credit, debt, income, foreclosure prevention, and other issues that arise throughout the home buying process.
- 2.2.2 Provider will create and maintain a relationship with identified homebuyers to continue through the close of each home and will ensure that appropriate homebuyers have the knowledge and resources needed to avoid difficulties in the last weeks prior to purchase.
- 2.2.3 Provision of orientation workshop specific to the Community Land Trust Program.

2.3 GENERAL RESPONSIBILITIES

General responsibilities include:

The Provider will provide all of the necessary services, personnel, office space, meeting space, and supplies to carry out the daily tasks of ensuring that the project progresses satisfactorily and all of the administrative functions associated with the project are properly executed in accordance with the Agreement and the requirements of the City of Flagstaff. Provider responsibilities include:

- 2.3.1 Creating project files detailing expenses, procurement, project information, correspondence, and other information which City may require;
- 2.3.2 Submitting applicable reports to the Housing Section;
 - 2.3.2.1 Keeping client files detailing eligibility, income information, and other information which City may require;
 - 2.3.2.2 Record retention to be maintained by agency administering long term affordability;
 - 2.3.2.3 Pre-purchase file to be transferred to the City of Flagstaff at the close of the scope of work, or as requested by the City of Flagstaff.

- 2.3.3 Maintaining project accounting, including but not limited to documentation of expenditures and receipts;
- 2.3.4 Managing personnel;
- 2.3.5 Providing copies of completed audits to the City;
- 2.3.6 Providing oversight of the project to ensure a cost effective and efficient delivery of services;
- 2.3.7 Ensuring an open public process is conducted in all outreach activities and equal opportunity is provided to all persons regardless of race, color, sex, religion, handicap, familial status or national origin;
- 2.3.8 Maintenance of applicable certifications;
- 2.3.9 Provision of professional communication, client confidentiality and customer service;
- 2.3.10 Cooperation with City staff to adapt the program to market, legal and unforeseen challenges;
- 2.3.11 Coordination with the City and its design / development partners during construction regarding phasing, market demand and conditions, and marketing during construction;
- 2.3.12 Performance of services generally conducted by a Real Estate Broker in regard to the sale and marketing of the units;
- 2.3.13 Communication with City staff about necessary intervention and enforcement;
- 2.3.14 Preparation of necessary loan documents to be recorded through escrow.

EXHIBIT B

Pay Request

CITY OF FLAGSTAFF, GENERAL FUND		date
REQUEST FOR PAYMENT - FORM ONE (1)		Program Year 2010
I. IDENTIFICATION		
1. Grantee: BOTHANDS, Inc. - Izabel Homebuyer Services	General Fund Contract No:	3. Request Number 1
		4. Amount Requested

5. Make check payable and mail to: BOTHANDS, Inc. PO Box 30134 Flagstaff, AZ 86003

II. STATUS OF GENERAL FUNDS

Expenditures					
(1) Budget Item #	(2) Item Name	(3) Application Budget	(4) Previous Expenditures	(5) Current Requested Amount	(6) Balance
1	Sales	\$20,724	-	\$ -	20,724.00
2	Client Selection/Counseling/Education	\$10,775	-	\$ -	10,775.00
3	Administration/ Marketing/Design	5,785.00	-	\$ -	5,785.00
(8) TOTALS		\$ 37,284.00	-	\$ -	37,284.00

III. CERTIFICATION

I (we) certify that this Request for Payment has been drawn in accordance with the terms and conditions of the Contract cited above. I (we) also certify that the data recorded above is correct, that the amount of the request for payment is not in excess of current needs, and is anticipated to be disbursed with 10 days of receipt, as documented by the attached Disbursement Documentation Form (F-4).

Date:	Signature:	Title:	
Date:	Signature:	Title:	
FOR CITY USE ONLY			
HOUSING MANAGER <input type="checkbox"/> Requested Amount Approved <input type="checkbox"/> Requested Amount Decreased	PROJECT MANAGER: Approved:	Yes <input type="checkbox"/> No <input type="checkbox"/>	
BY: SARAH DARR	DATE	BY: JUSTYNA COSTA	DATE

Program Year 2010

General Fund Contract No:

(3) Payment Request No. 1

(4)(a)	Item and Activity Number
--------	--------------------------

(७)

Expenditure Description

(c)

Vendor Name

(D)

1. Check No.
2. Invoice/PO

(f)

Amount

(5) Comments (reserved for CITY Program):

(g) TOTAL CDBG Funds Requested

(6) Prepared By

(2)

Name _____

(c)

Signature _____

(b)

Title

(p)

Date _____

EXHIBIT C

Budget

Izabel Homebuyer Services Budget

Marketing Plan Development		Costs
Create Plan & Get City Approval	Est. 30 hrs x \$60/hr	\$1,800
Coordination With City, Design and Contract Professionals		
Coordination & Planning Meetings	Est. 24 hrs x \$60/hr	\$1,440
Marketing Plan Implementation		
Market Analysis for Phase 1	Est. 5 hrs x \$60/hr	\$300
Market Analysis for Phase 2	Est. 5 hrs x \$60/hr	\$300
* Ongoing Advertising & Marketing costs included in sales costs		
Client Counseling		
Through application to closing	Est. 18.5 hrs x \$35/hr x 10 clients	\$6,475
Client Education re: CLT		
CLT education/counseling	Est. 2 hrs x \$35 x 10 clients	\$700
Sales		
2% to represent seller in transaction	Avg. \$172,702 x 2% x 3 homes	\$10,362
2% to represent buyer in transaction	Avg. \$172,702 x 2% x 3 homes	\$10,362
Application Intake & Selection		
Develop Application Intake Plan	Est. 20 hrs x 60/hr	\$1,200
Develop Application	Est. 20 hrs x 60/hr	\$1,200
Develop Procedures	Est. 20 hrs x 60/hr	\$1,200
Documents		
Review CLT docs & review w/ lenders	Est. 20 hrs x \$35	\$700
Audit/Accounting		
Audit		\$250
Accounting		\$275
Reporting	12 hrs x \$60/hr	\$720
Total		\$37,284

* Budget Notes:

In order to legally perform Real Estate/Sales services in the State of Arizona, BOTHANDS will need to contract with a Broker and/or become a licensed Broker. The legal and time requirements associated with performing this service (or hiring somebody to perform this service) require that we have a mechanism of cost recovery for these services. While the customary Realtor fees in our community are higher than the 2% we have identified for each service (seller and buyer representation), we believe with our identified partners, we can provide this service and identify Realtor partners who can provide this service for the identified costs.

EXHIBIT D
Schedule of Completion

Project Schedule

City of Flagstaff

Project Description: Izabel Homebuyer Services

Implementing Agency: BOTHANDS, Inc.

Date:	11/16/2009
-------	------------

Households Served: 3

[illegible]

EXHIBIT E

Resolution No. 2006-30



Community Investment Memo

April 18, 2006

TO: Mayor and Council

FROM: Sarah Darr, Land Trust Program Manager

RE: Requested Amendment Language for Resolution 2006-30

Per the discussion last night at the work session, following is the text of an amendment to be read into the record.

Resolution 2006-30

Page 2, after the last line of Section 3, insert:

"SECTION 4. The Council will review the City of Flagstaff Land Trust Program no later than five years from the date of this resolution with consideration in the interim of partnership and oversight opportunities."

Page 3, in Section A(3)a, after "or its successor agency." Strike:

"There is, however, one exception that will be considered: (1) Households that are vital to the economic sustainability of the community can qualify if they provide a letter from their employer or potential employer stating the critical nature of the position, prove hardship not due to consumer debt and agree to an increased lease fee."

RESOLUTION NO. 2006-30

A RESOLUTION CREATING THE CITY OF FLAGSTAFF LAND TRUST PROGRAM AND SETTING FORTH ELIGIBILITY CRITERIA AND ESSENTIAL GROUND LEASE PROVISIONS

WHEREAS, housing prices in the City of Flagstaff have increased more than 85% in the last five years (\$298,250 Median Home Price at 2005 year end); and

WHEREAS, incomes have only increased 1% per year in the last five years in the City of Flagstaff (2005 Area Median Income for a household of 4 in Flagstaff was \$52,050); and

WHEREAS, a shortage of affordable housing exists in the City of Flagstaff for the workforce of the community; and

WHEREAS, the availability of affordable housing is necessary to maintain a diverse workforce in the city of Flagstaff; and

WHEREAS, preserving and encouraging economic diversity in Flagstaff is critical to retaining and recruiting workers in a broad array of occupations for the community of Flagstaff; and

WHEREAS, insuring the preservation of affordable housing for future residents of the City is vital to sustaining Flagstaff as an historic community with members working in a wide range of occupations; and

WHEREAS, the Land Trust Program will provide a tool to preserve permanently the affordability of housing units provided through the Program; and

WHEREAS, public equity retention through the Land Trust Program will preserve affordable housing in the community for the future;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

SECTION 1. That the City of Flagstaff hereby creates the Land Trust Program, a program providing housing opportunities for the workforce of Flagstaff; and

SECTION 2. That the Land Trust Program shall serve eligible buyers meeting the criteria contained in Appendix A; and

SECTION 3. Permanent affordability of Land Trust Program homes will be achieved through the separation of ownership of the land and the improvements on the land. A ground lease shall establish the long-term agreement between the Program and the homeowners, spelling out the rights and requirements for each and contain the non-negotiable features of the program.

The ground lease shall:

- provide a renewable 99-year lease term
- limit the use of the land to residential purposes
- dictate responsible use and compliance with all laws
- require owner occupancy of the home constructed on leased land
- stipulate that the lessee shall pay a ground lease fee
- specify that all improvements are the property of the lessee and provides parameters for construction and alteration
- prohibit liens from being filed against the land
- stipulate that the lessee is responsible for all maintenance and services
- prohibit the lessee from mortgaging the land
- specify the lessee's liability and the lessor's indemnification
- require the lessee to obtain and maintain casualty and liability insurance
- preserve right of first refusal of the City regarding purchase of the improvements
- provide a mediation and arbitration process
- limit the sale and resale of the home to eligible buyers
- dictate the resale price of the improvements determined through the following formula:
initial purchase price + [(appraisal 2 - appraisal 1) x 25%] = resale price, entitling the seller to 25% of the increase in equity of the improvements.

PASSED AND ADOPTED by the City Council and approved by the Mayor of the City of Flagstaff this _____ day of _____, 2006.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY

ELIGIBILITY CRITERIA

A. THRESHOLD ELIGIBILITY CRITERIA

The following criteria reflect the City of Flagstaff Land Trust Program's goal to reasonably equalize household size to unit size and household income to housing costs. [Note: some funding sources the City of Flagstaff Land Trust Program may utilize to develop housing opportunities establish maximum eligibility criteria of 80% of the Area Median Income.]

To be considered for City of Flagstaff Land Trust Program opportunities applicants must meet the following criteria:

1. **Majority Age** – must be 18 years of age
2. **Citizen of USA or registered alien**
3. **Income eligibility** –
 - a) **Maximum Income** – Household must have an annual income which does not exceed **150% of the Area Median Income (AMI)** for Flagstaff, Arizona adjusted for household size and as defined by the U.S. Department of Housing and Urban Development or its successor agency. There is, however, one exception that will be considered:
 - (1) Households that are vital to the economic sustainability of the community can qualify if they provide a letter from their employer or potential employer stating the critical nature of the position, prove hardship not due to consumer debt and agree to an increased lease fee.
 - b) **Minimum Income** – Household's monthly income, when multiplied by the appropriate debt-to-income ratio, must be sufficient to support the housing costs for the housing opportunity in question. In general, households that require a cosigner in order to obtain a mortgage will not be considered.
 - c) **Assets** – A review of a household's financial resources and circumstances should clearly indicate a limited ability to compete successfully in the conventional housing market in Flagstaff. In addition, the combined assets for the household may not exceed 150% of the Flagstaff AMI for the household size. For the purposes of calculating the value of assets subject to this requirement the list of inclusions and exclusions is attached. Personal assets in excess of the limit may be applied to the foregoing, buyers may not own other residential property at the time of purchase without the express written consent from the Program.

- d) **Affordability** – (i.e. matching household income to housing cost). In general, affordability means that the monthly cost of occupying a particular housing unit does not exceed 33% of monthly household income, depending on the applicable lender's guidelines.
4. **Residency** – Applicants must reside or hold employment within the Flagstaff Metropolitan Planning Organization (FMPO) boundary within the last three years.
5. **Flagstaff First-time Homebuyer** – Applicants must not have owned a home within the Flagstaff Metropolitan Planning Organization (FMPO) boundary within the last three years.
6. **Creditworthiness** – In all cases, a household must be able to demonstrate a sense of ownership of its financial obligations, and a history of responsible effort to meet them. Mortgage pre-qualification must be obtained and presented with application.
7. **Homebuyer Education** – Applicants must complete City of Flagstaff Land Trust Program Orientation Workshop. First-time homebuyers must also complete a City of Flagstaff approved homebuyer education program.

B. SECONDARY ELIGIBILITY CRITERIA

The following circumstances, not necessarily in order of priority or importance, will be considered in those instances when there are two or more households expressing interest in a particular unit who meet the Threshold Eligibility Criteria outlined above.

1. **Need**: In general, the City of Flagstaff Land Trust Program will give consideration to lower-income household. The City of Flagstaff Land Trust Program will give special consideration to households facing immediate or near-term displacement, especially if children are involved.
2. **Application on File**: Length of time which a household's application for home ownership has been on file.
3. **Appropriate Size**: (i.e. matching household size to unit size). In general, households consisting of the number of persons appropriate for the unit size will be given preference as follows:

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Unit Size	Household Size
0 – BR	1 person
1 – BR	1-2 persons
2 – BR	1-3 persons
3 – BR	3-5 persons
4 – BR	4-6 persons
5 – BR	5-7 persons

4. First come, first served.

**City of Flagstaff Land Trust Program
Approved List of Assets Inclusions and Exclusions**

Inclusions

1. Cash held in savings accounts, checking accounts, safe deposit boxes, homes, etc. For savings accounts, use the current balance. For checking accounts, use the average 6-month balance.
2. Cash value of revocable trusts available to the applicant
3. Equity in rental property or other capital investments. Equity is the estimated current market value of the asset less the unpaid balance on all loans secured by the asset and all reasonable costs (e.g., broker fees) that would be incurred in selling the asset. Under HOME, equity in the family's primary residence is not considered in the calculation of assets for owner-occupied rehabilitation projects.
4. Cash value of stocks, bonds, Treasury bills, certificates of deposit and money market accounts.
5. Cash value of life insurance policies available to the individual before death (e.g., surrender value of a whole life or universal life policy)>
6. Personal property held as an investment such as gems, jewelry, coin collections, antique cars, etc.
7. Lump sum or one-time receipts, such as inheritances, capital gains, lottery winnings, victim's restitution, insurance settlements and other amounts not intended as periodic payments.
8. Mortgages or deeds of trust held by an applicant.

Exclusions

1. Necessary personal property, except as noted in number 8 of Inclusions, such as clothing, furniture, cars and vehicles specially equipped for persons with disabilities.
2. Interest in Indian trust lands.
3. Assets not effectively owned by the applicant. That is, when assets are held in an individual's name, but the assets and any income they earn accrue to the benefit of

someone else who is not a member of the household and that other person is responsible for income taxes incurred on income generated by the asset.

4. Equity in cooperatives in which the family lives.
5. Assets not accessible to and that provide no income for the applicant.
6. Term life insurance policies (i.e., where there is no cash value).
7. Assets that are part of an active business. "Business" does not include rental of properties that are held as an investment and not a main occupation.
8. Individual retirement and Keogh accounts (even though withdrawal would result in a penalty).
9. Retirement and pension funds.

EXHIBIT F

Statutorily Required Contract Provisions For Arizona Governmental Entities

EXHIBIT F

Statutorily Required Contract Provisions for Arizona Governmental Entities

1. Business Operations in Sudan/Iran

In accordance with A.R.S. §§ 35-391.06(A) and 35-393.06(B), Provider certifies that the Provider and its affiliates and subsidiaries do not have scrutinized business operations in Sudan or Iran. If the City determines that the Contractor certification is false, the City may impose all legal and equitable remedies available to it, including but not limited to termination of this Contract.

2. Verification regarding Immigration Laws

Provider hereby warrants to the City that Provider and each of its subcontractors ("Subcontractors") will comply with, and are contractually obligated to comply with, all Federal Immigration laws and regulations that relate to its employees and A.R.S. §23-214(A) ("Provider Immigration Warranty").

2.1 A breach of the Provider Immigration Warranty shall constitute a material breach of this Contract and shall subject the Provider to penalties up to and including termination of this Contract at the sole discretion of the City.

2.2 The City retains the legal right to inspect the papers of any Provider or Subcontractor employee who works on this Contract to ensure that the Provider or Subcontractor is complying with the Provider Immigration Warranty. Provider agrees to assist the City in regard to any such inspections.

2.3 The City may, at its sole discretion, conduct random verification of the employment records of the Provider and any of subcontractors to ensure compliance with Provider's Immigration Warranty. Provider agrees to assist the City in regard to any random verifications performed.

2.4 The provisions of this Article must be included in any contract the Provider enters into with any and all of its subcontractors who provide services under this Contract or any subcontract. "Services" are defined as furnishing labor, time or effort in the State of Arizona by a contractor or subcontractor. Services include construction or maintenance of any structure, building or transportation facility or improvement to real property.

3. Cancellation for Conflict of Interest

The parties understand and agree that this Agreement may be cancelled for conflict of interest in accordance with Arizona Revised Statutes § 38-511.

CITY OF FLAGSTAFF STAFF SUMMARY REPORT

To: The Honorable Mayor and Council
From: Glorice Pavey, Senior Recreation Coordinator
Date: 08/24/2012
Meeting Date: 10/02/2012



TITLE:

Consideration and Approval of Street Closure(s): 2013 Dew Downtown Flagstaff Urban Snowboard and Ski Festival and **Consideration and Approval of Amplification Exception:** 2013 Dew Downtown Flagstaff Urban Snowboard and Ski Festival.

RECOMMENDED ACTION:

- Approve the street closure of San Francisco Street between Birch and Dale avenues on February 7, 2013, at 8:00 p.m. through February 10, 2013, at midnight; and
- Approve the amplification exception that allows for calling out play by play and starting box commenting for contestants to occur on Sunday, February 10, 2013, between the hours of 9:00 a.m. and 12:00 noon.

Policy Decision or Reason for Action:

By allowing the Dew Downtown Flagstaff Urban Snowboard and Ski Festival street closure as an exception to the special event permit regulations, the City is providing a safe alternative location for a new community event. By allowing for the Dew Downtown Flagstaff Urban Snowboard and Ski Festival amplification exception to the special event permit regulations, the City is providing economic activity in the community during the traditionally low performing month of February.
Subsidiary Decisions Points: No subsidiary decision points

Financial Impact:

The Dew Downtown Flagstaff Urban Snowboard and Ski Festival budget was approved in the FY13 budget and is projected to meet a 100% cost recovery. Street closures change traffic patterns for local businesses and may have the potential to affect sales. Based off of feedback from the 2012 event, many businesses reported a significant increase in sales over the previous year. Three businesses reported a decline in sales from the previous year. Review of sales tax data for the Downtown area showed a 19% increase in sales in February 2012 versus February 2011 which staff believes could be attributable to the Dew Downtown Flagstaff Urban Snowboard and Ski Festival.

Connection to Council Goal:

Livability through good neighborhoods, affordable housing and varied recreational activities.

Has There Been Previous Council Decision on This:

City Council approved the street closure for the 2012 Dew Downtown Flagstaff Urban Snowboard and Ski Festival.

Options and Alternatives

- 1) Deny the request to close the proposed downtown streets and propose other street alternatives
- 2) Deny the request to close the proposed downtown streets and not hold the event
- 3) Deny the request to approve the amplification exception with play by play announcements as part of the special event permit packet

Background/History:

This special event is managed by the City of Flagstaff for the threefold purpose of (1) providing an economic stimulus for the community during the traditionally low performing month of February; (2) continue to brand Flagstaff as a four season tourism destination; and, (3) provide a family-friendly winter event for all ages.

The event features snowboarding and skiing on an urban course in the heart of historic downtown. Snow is packed onto San Francisco Street between Birch and Dale avenues, allowing skiers and snowboarders the opportunity to complete "tricks" while maneuvering various urban obstacles. The event will run from 9:00 am - 8:00 pm on Saturday, February 9, 2013 and 9:00 am - 1:00 pm on Sunday, February 10, 2013. Sound amplification is planned for Sunday, February 10th.

In addition to the activities on the course, vendors will set up on the street and on the County Courthouse lawn. Types of items sold at the event include food, beer, ski and snowboard related items, and sponsors' wares. An RFP has been sent out to expand the event into the Heritage Square venue. This additional component of the festival will be managed by an outside company.

In August of 2012, the Dew Downtown Flagstaff Urban Snowboard and Ski Festival received the Arizona Parks and Recreation Association's award for "Most Outstanding Community and Neighborhood Event for a population of 25,000-100,000."

Key Considerations:

Street closure of San Francisco Street is permitted by Council action under the Special Events rules and regulations and is not expected to begin until 8 pm on Thursday, February 7th. Of note, Cherry Avenue is a two-way street and its closure is allowable under the special event permit guidelines, without requiring permission of the City Council.

Community Benefits and Considerations:

In 2012, this event drew roughly 10,000 spectators to the downtown area, increasing sales tax revenue by 19% (7% growth trend was occurring in the Downtown area without the event). The Dew Downtown Flagstaff Urban Snowboard and Ski Festival is attributable for the majority of the increase. Numerous businesses in the downtown area noted an increase in sales during the weekend of the Dew Downtown Festival. The Dew Downtown Flagstaff Urban Snowboard and Ski Festival has become one of the centerpieces of the WinterFest activities. This event will be advertised throughout Arizona and the Southwestern states. The 2013 event plans to expand into the Heritage Square venue and directly involve more businesses and restaurants.

Community Involvement:

INFORM, CONSULT and INVOLVE: On August 31, 2012, the City of Flagstaff mailed over 800 postcards to residents and businesses in the north downtown area in order to notify them of a public meeting on September 12, 2012, and the upcoming City Council meeting on October 2, 2012. The date and times of the public meeting and City Council meeting were posted in the 'Downtown Newsletter', which is posted on the City of Flagstaff's website (flagstaff.az.gov/downtown) as well as in the downtown kiosks, Main Library facility downtown, City Hall and the Aquaplex.

Three community members attended the September 12, 2012 public meeting and voiced their support for the event and its location. Input from attendees included: adding additional portable toilets, support for the current route and detour, support for the night portion of the event, support for the festival component, suggestions to improve the judging, prizes and announcing. Additionally, staff met with residents and business owners one-on-one in order to address their concerns. Those who are opposed are so because of its location and would like to see it moved to a different venue.

On Wednesday, September 19, 2012, the Dew Downtown Flagstaff Urban Snowboarding and Ski Festival will be presented to the Parks and Recreation Commission for their input and approval.

In 2012, staff responded to community feedback by creating an ambassador program that integrated a trash/recycling component and an extensive parking plan. Many noted that the area was cleaner than it had been prior to the festival. In addition, ambassadors staffed intersection corners in order to direct people into parking areas. The ambassador program hopes to expand by integrating private parking lot options and by handing out maps to visitors attending the festival.

Expanded Options and Alternatives:

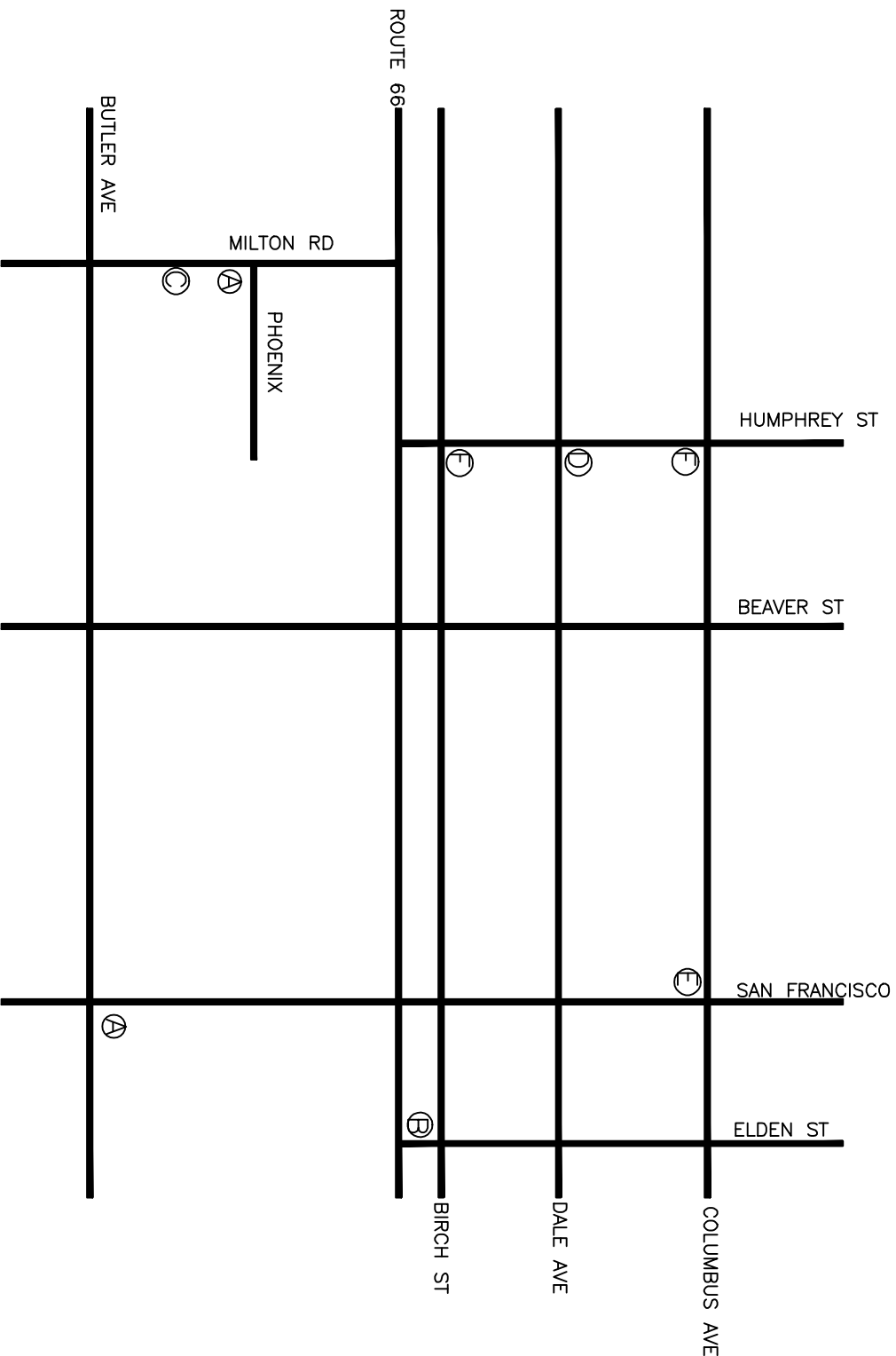
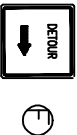
1. Deny the request to close the proposed downtown streets
 - Pro: No impact to the traffic flow of the north downtown area.
 - Con: Economic benefit may not be seen by Flagstaff businesses during a traditionally slow sales period.
2. Deny the request to approve the amplification exception to the special event permit packet
 - Pro: No impact to surrounding businesses and residents
 - Con: The ability to provide play-by-play commentating for the contestants and to call participants to the starting box for the competition portion of the event would be compromised.

Date of Council Approval:

Attachments: Traffic Control Plan 1
 Traffic Control Plan 2

Form Review

Inbox	Reviewed By	Date
Senior Rec Coordinator - Pavey (Originator)	Glorice Pavey	09/08/2012 02:02 PM
Traffic Engineer	Glorice Pavey	09/14/2012 09:32 AM
Senior Rec Coordinator - Pavey (Originator)	Glorice Pavey	09/14/2012 09:41 AM
Traffic Engineer	Glorice Pavey	09/14/2012 02:33 PM
Senior Rec Coordinator - Pavey (Originator)	Glorice Pavey	09/14/2012 04:28 PM
Traffic Engineer	Glorice Pavey	09/19/2012 08:47 AM
Senior Rec Coordinator - Pavey (Originator)	Glorice Pavey	09/19/2012 02:15 PM
Traffic Engineer	Elizabeth A. Burke	09/19/2012 03:15 PM
DCM - Jerene Watson	Jerene Watson	09/19/2012 04:22 PM
Form Started By: Glorice Pavey		Started On: 08/24/2012 04:42 PM
Final Approval Date: 09/19/2012		



NORTH



NOT TO SCALE



EXISTING
SPEED LIMIT

LEGEND

- SIGN AND LIGHT TYPE (IF APPLICABLE)
SIZE: 36" x 36" X 48" x 48"
LIGHT: TYPE A X TYPE B —
- CHANNELIZING DEVICE
SPACING TAPER 40' TANGENT 50' CENTERLINE N/A
- ⊥ HIGH LEVEL ☐ TYPE I/TYPE II ☐ TYPE III

TRAFFIC CONTROL PLAN # 2

CONTRACTOR	SNOWBOARDING	DATE	1 FEB 12
LOCATION	SAN FRANCISCO & BIRCH		
TIME USAGE:	24 HRS	START DATE	9 FEB 12
AGENCY	FLAGSTAFF	DRAWN BY	GREG MONTEZ

RoadSafe

TRAFFIC SYSTEMS



Life on the road

CITY OF FLAGSTAFF

STAFF SUMMARY REPORT

To: The Honorable Mayor and Council
From: Brian Grube, Recreation Services Director
Date: 06/18/2012
Meeting Date: 10/02/2012



TITLE:

Consideration and Possible Adoption of Ordinance No. 2012-13: An ordinance of the Mayor and Council of the City of Flagstaff amending Flagstaff City Code, Title 3, Business Regulations; Chapter 3, User Fees; Section 3-10-001-0005, Recreation, revising Jay Lively Activity Center fees.

RECOMMENDED ACTION:

Read Ordinance No. 2012-13 for the first time by title only.

Policy Decision or Reason for Action:

During the FY13 Council budget retreat, direction was given to staff by Council to proceed with the proposed fee changes with the goal of generating an additional \$100,000 in revenue.

Subsidiary Decision Points:

At the July 3, 2012 and the September 4, 2012 City Council meetings, Council requested additional information for their review regarding fee increases. This additional information is included in a Council Communication Report (CCR) included with this staff summary.

Financial Impact:

The changes in Jay Lively user fees are intended to generate additional revenue so that the center will recover more of its direct costs of operation. Currently the Jay Lively Activity Center generates revenue which covers approximately 65% to 68% of its operational costs. The new fee structure will bring that number up to approximately 90% cost recovery. Based on historical use the new fees will generate approximately \$100,000.

Connection to Council Goal:

Livability through good neighborhoods, affordable housing and varied recreational activities.
Maintain and deliver quality, reliable infrastructure.

Has There Been Previous Council Decision on This:

The City Council supported the proposed fee increases during the FY13 Council budget planning meetings.

Options and Alternatives

1. The preferred option is to phase in at 1/3rd the increase this fiscal year and next with the full rates as currently proposed implemented July 2014. If this option is adopted by Council, the City would have to find \$100,000 in one time money to replace the lost revenue over the next two years as shown on the following schedule:

Implement 1/3 of proposed fee increase October 1, 2012: Revenue impact (\$70,000)

Implement the 2nd third of the proposed fee increase July 1, 2013: Revenue impact (\$30,000)

Total two year revenue impact: (\$100,000)

This option is preferred as it uses one-time funds to supplement the loss in revenue and the City budget stays structurally balanced.

2. Keep fees at their current levels. If fees were kept at current levels, \$100,000 would need to be found elsewhere within the overall FY13 City budget. If fees remained unchanged, the public would not see an increase to the current fee structure.
3. Choose an alternative amount (lesser) of revenue to be generated. Any decision resulting in less than \$100,000 in additional revenue would need to be found elsewhere within the overall FY13 City budget.
4. Additional recommendations provided by Council not mentioned above.

Background/History:

The Council requested additional information and discussed options for the proposed increase in Jay Lively user fees.

As part of the FY2013 budget process, it was recommended to increase Jay Lively user fees by approximately \$100,000 to fund other General Fund priorities.

The Council requested additional information and discussed options for the proposed increase in Jay Lively user fees at the July 3, 2012 and September 4, 2012 Council meetings. Council also requested for staff to provide additional information to be brought forward for their review and discussion. The Council Communication Report (CCR) attached to this staff summary goes into detail regarding the Council's questions and requests for additional information.

Key Considerations:

During the FY13 Council budget retreat, direction was given to staff by Council to proceed with the proposed fee changes.

Community Benefits and Considerations:

There will be no service level impact to the public at the Jay Lively Activity Center except to hold it steady at current servicing levels or use more of the General Fund to fund future service level increases.

A phased approach to fee increases is supported by user groups as they would have adequate time to address the fee increases and plan strategically within their various organizations.

If the entire fee increases were to be implemented immediately, some of the smaller programs could see membership decreases as a result of higher fees.

After the initial roof collapse at the Jay Lively Activity Center, organizations and individuals from the public spoke in support of fee increases at the center to ensure that a public ice skating rink would continue to operate within the City of Flagstaff.

In an effort to engage and alert user Jay Lively user groups, Recreation staff conducted one-on-one meetings with user groups in February 2012. Attendance sheets and minutes were not taken at these meetings. The goals of these meetings were as follows:

- We invited all user groups to meet with us one-on-one which included the following: Flagstaff Youth Hockey Association (FYHA), Flagstaff Figure Skating Club, NAU Hockey, FUSD High School Hockey, Train Wreck Adult Co-ed Hockey League, Adult Men's Hockey League, and Just for Fun Adult Hockey League. Of these we met individually with our three largest user groups:

- In addition to the in-person meetings, Recreation staff spoke to the Men's Adult Hockey League and Just for Fun Hockey League on the phone and shared the same information. Other groups either did not respond to our invitation or did not feel it was necessary to meet.

- Inform user groups of Council direction regarding user fees (\$100,000)
- Share with them what their new fee would be, based on Council's decision
- Provide them with Council meeting date of July 3, 2012, where they could voice their concerns during the public hearing portion of the agenda

Date of Council Approval:

Attachments: Jay Lively Fees CCR
Individual fees
Summer Ice Revenue
Jay Lively Website
Aquaplex closure CCR
Aquaplex fees

COF fees & Recreation expense and revenue

Field maintenance cost

Ord. 2012-13

Form Review

Inbox	Reviewed By	Date
Community Enrichment Director	Elizabeth Anderson	09/18/2012 02:44 PM
Legal Assistant	Vicki Baker	09/18/2012 02:46 PM
Senior Assistant City Attorney DW	David Womochil	09/19/2012 09:18 AM
DCM - Jerene Watson	Jerene Watson	09/19/2012 09:57 AM
Recreation Services Director (Originator)	Brian Grube	09/19/2012 11:04 AM
DCM - Jerene Watson	Jerene Watson	09/19/2012 11:16 AM
Recreation Services Director (Originator)	Brian Grube	09/19/2012 11:21 AM
Community Enrichment Director	Elizabeth A. Burke	09/19/2012 11:28 AM
Form Started By: Brian Grube		Started On: 09/17/2012 07:45 AM
	Final Approval Date: 09/19/2012	

CITY COUNCIL REPORT

DATE: September 18, 2012

TO: Mayor and Council members

FROM: Elizabeth Anderson, Community Enrichment Services Director
Brian Grube, Recreation Services Director

CC: Kevin Burke, Josh Copley, Jerene Watson, Leadership Team

SUBJECT: JAY LIVELY USER FEE INCREASE

This is in response to the Council request for additional information on the Jay Lively User Fee increase as discussed at the July 3rd and September 4th, 2012 Council meetings, item 14A.

DISCUSSION

The Council requested additional information and discussed options for the proposed increase in Jay Lively user fees. As part of the FY2013 budget process, it was recommended to increase Jay Lively user fees by approximately \$100,000 to fund other General Fund priorities.

Can we phase the fee increase in?

Yes. The preferred option is to phase in at 1/3rd the increase this fiscal year and next with the full rates as currently proposed implemented July 2014. If this option is adopted by Council, the City would have to find \$100,000 in one time money to replace the lost revenue over the next two years as shown on the following schedule:

Implement 1/3 of proposed fee increase October 1, 2012 –	Revenue impact (\$70,000)
Implement the 2 nd third of the proposed fee increase July 1, 2013 –	Revenue impact (\$30,000)
Total two year revenue impact:	(\$100,000)

This option is preferred as it uses one-time funds to supplement the loss in revenue and the City budget stays structurally balanced.

Can we increase some fees and not others?

Yes. **Attachment 1** to this document indicates how much each separate component of the proposed fee increase generates of the total \$100,000 proposed.

This option is not recommended, as it reduces revenue on an ongoing basis and can impact the structural balance of the General Fund.

A similar question was - can the City prorate the ice time fees for smaller groups? We can change our fees to consider group size; however the City costs to maintain the ice do not necessarily decrease with smaller groups. For example, figure skating creates greater ice maintenance needs than does hockey, even though the group size is generally smaller.

What is the impact of the summer ice program?

While the Summer Ice is a relatively new program to the City, the revenues from this program have already been made a part of the base General Fund budget. The incremental revenue is already a part of the ongoing structural fund balance as currently calculated. **Attachment 2** is provided as an overview of summer ice revenues and expenditures. This study was conducted in 2009 as a part of a trial period to study the viability of summer ice. A similar report has not been done since due to several reasons: the collapse and reconstruction spanned two summer seasons and this past summer the rink was closed for three weeks while we put the final touches on the newly installed bleachers and conducted some dasher board work.

Can we advertise on the dasher boards?

Yes – Additional research has been conducted regarding this matter and it would be considered lease of City space and therefore needs to go through a formal Requests for Proposals (RFP) process to solicit bids from the public. City staff is meeting to determine the language of the RFP with the goal of getting the RFP out to the public for response this fall. The additional revenue that this project may bring to the city is unknown at this time.

What in-kind services can NAU offer?

On September 14th Brian Grube spoke with AJ Fairchild, General Manager for NAU Hockey. AJ stated that NAU would be interested in helping create a dasher board advertising program that would benefit the City and user groups through a revenue share concept. Since the lease of boards will go out in a RFP, we did not get into details about this in order to preserve equality of the RFP process. He will respond to the RFP when it is posted on the City's website.

Can we improve our website calendar?

Attachment 3 is provided to show you a screen print of a few Jay Lively web pages. The new additions to the website include the weekly/monthly calendar and the “alert” button that one can click to see if there are any changes to “today’s” schedule. These features will be maintained on a regular schedule.

If the rate increase isn’t approved, can we use savings by delaying or deleting equipment purchases?

The City of Flagstaff Recreation division has an ongoing annual allocation of \$55,000 per year to meet the equipment replacement needs for all recreation facilities and sites. For Fiscal Years 2012, 2013, and 2014, \$40,000 per year for a total of \$120,000 has been set aside and used to purchase the new exercise equipment needed by the Aquaplex. This has left Recreation with \$15,000 per year for Fiscal Years 2013 and 2014 and the amount will increase to \$55,000 per year again starting in FY2015.

In the last three years, these dollars have primarily been used for facility maintenance and upkeep. Some of the projects have included:

- City’s contribution to the bleacher project at Jay Lively
- Rubberizing the flooring on all bleachers
- New carpet at Flagstaff Recreation Center
- New signs inside Jay Lively
- Repair and replacement of partition doors at Joe C. Montoya Community and Senior Center

Can the City close the Aquaplex one day per week to generate some expenditure savings?

The City has explored this option in a CCR previously provided to Council. **Attachment 4** is this CCR copy.

Can the City increase the cost recovery at the Aquaplex?

The general City philosophy for cost recovery is 50% for youth activities and 100% for adult activities. We currently recover approximately 60% of the direct cost at the Aquaplex in 2012. This number can fluctuate annually based on the maintenance and other facility repairs that occur. **Attachment 5** is the current Aquaplex fee sheet. For every 10% overall increase in fees, an additional \$72,000 in revenue will be generated annually. One concern with increasing the overall fees at the Aquaplex is how the members will react. The current fees are competitive with the other full service, private and non-profit athletic/exercise facilities. A fee increase may cause our current membership to patronize a different facility.

When Recreation fees go up, do they go to directly support recreation programs?

As a general rule, revenues collected within the General Fund are not directly allocated to the service that generated the revenue or fee. As there are no General Fund divisions that are self supporting, new revenue must be directed to the area that has the greatest need. It could be said that if new revenue is generated by Recreation – that those funds are kept by Recreation – but there would be an exact corresponding decrease of the general taxation revenues that are used to support Recreation. **Attachment 6** is included to provide for a review of the City fee recovery practices. A chart is included to show the revenues and expenditures for each major program area in Recreation.

What public outreach was conducted regarding potential for increases to Jay Lively user fees?

In an effort to engage and alert Jay Lively user groups, Recreation staff conducted one-on-one meetings with user groups in February 2012. Attendance sheets and minutes were not taken at these meetings. The goals of these meetings were as follows:

- Alert groups that user fees at Jay Lively were being discussed during Council budget retreats and most likely fees would increase.
- Indicated that if fees do go up that they would be in the range of 20% to 70%
- Discussed potential impact to their programs
- Encouraged groups to remain engaged in the budget process as to be informed of Council's direction
- Committed to meet again with user groups after Council's April budget retreat to share results.

We invited all user groups to meet with us one-on-one which included the following; Flagstaff Youth Hockey Association (FYHA), Flagstaff Figure Skating Club, NAU Hockey, FUSD High School Hockey, Train Wreck Adult Co-ed Hockey League, Adult Men's Hockey League, and Just for Fun Adult Hockey League. Of these we met individually with our three largest user groups:

- FYHA on February 7th
- NAU on February 8th
- Flagstaff Figure Skating on February 8th

In addition to the in-person meetings, Recreation staff spoke to the Men's Adult Hockey league and Just for Fun Hockey League on the phone and shared the same information. Other groups either did not respond to our invitation or did not feel it was necessary to meet.

In addition to the February meetings we also met with user groups on May 23rd. At this meeting we met with all groups in one setting rather than individually. The goals of this meeting included:

- Inform user groups of Council's direction regarding user fees (\$100,000)

- Share with them what their new fee would be based on Council's decision
- Provided them with Council meeting date of July 3rd where they could voice their concerns during the public hearing portion of the agenda

The general consensus from the user groups was disappointment that such a significant increase in fees was the chosen option and that they would not have adequate time to adjust to such a fee increase. Groups represented at this meeting include; FYHA, NAU, Flagstaff Figure Skating, FUSD, Just for Fun, and Train Wreck.

How are concessions currently being conducted at Jay Lively?

Currently the city does not conduct concession operations at the Jay Lively Activity Center. The building does not have the space to conduct appropriate concession operations from the interior of the building. If user groups desire to sell concessions during their event(s) in order to raise funds, they have the option of renting tables (at \$5.00 per table) and selling pre packaged or prepared food items. They are prohibited from selling items that would require a food handler's permit. The City could prepare an RFP for concessions but this could have a negative impact on user group's ability to fundraise.

How much have we collected in user fees (for the past two years) as it pertains to field rentals (softball, baseball and soccer) and what is the cost of maintenance to these fields?

Fees collected from field rentals for the past two years are as follows;

- FY2012 = \$26,496
- FY2011 = \$29,301

Attachment # 7 is a chart that outlines the annual maintenance costs for all COF fields. It should be noted that this information is from 2008, as comprehensive analysis occur every 5 years. Costs also vary depending on work performed on a particular field. For example, if a field has the infield sod replaced, the maintenance cost for the year would be reflected at a much higher rate than other fields that were simply "maintained".

How is the McPherson building currently being used and could it be used by user groups for various applications?

The McPherson building is not being actively used for any programming or recreational activities as a result of its closure in 2008 with the exception of our summer camp programs in 2009 and 2010. There is potential to use the building for applications such as a dormitory for visiting players/camps, but it would require an extensive review process in order to access the needs of the building. Some of the possible challenges include but are not limited to:

- Repairs to the existing water main to the building
- The roof is showing signs of disrepair and would need to be accessed
- Building would require an inspection at a cost of approximately \$1,500

- The building may require a sprinkler system if deemed necessary by the planning department
- The building would have to meet current storm water/planning development codes if work performed would exceed 50% of the buildings value

These bullet points represent a few of the hurdles one would face to bring the building back to active status. If a user group wanted to actively pursue this option, City staff would need to conduct a cost benefit analysis in order to see how it might benefit both the user groups and the City of Flagstaff.

RECOMMENDATION / CONCLUSION

This report is for information only.

Attachment 1

This table represents the projected fee increases and their additional revenue potential. These revenue figures were developed using historical use and rental numbers. We took a somewhat conservative approach to our projections, understanding that use of the facility may decrease somewhat with the implementation of the proposed new fees.

Table 1

Fee Category	Current fee	Proposed fee increase	Additional revenue generated by fee type
Youth	\$2.75	\$3.50 (28%)	\$9,153
Adult	\$5.25	\$6.50 (24%)	\$8,410
Group	\$2.25	\$2.75 (23%)	\$1,037
Hockey	\$10.50	\$13.00 (24%)	\$2,188
Skate Rental	\$3.25	\$3.25	\$0.00
Skate Sharpening	\$5.25	\$6.50 (24%)	\$848
Youth non-profit	\$52.00	\$79.00 (52%)	\$36,596
Adult non-profit	\$104.00	\$166.00 (60%)	\$27,714
Commercial	\$208.00	\$250.00 (21%)	\$11,076
Spectator Youth (NAU GAMES)	\$1.25	\$1.50 (20%)	\$10.50
Spectator Adult (NAU GAMES)	\$2.25	\$3.00 (34%)	\$9,000
Total			\$106,033

Memorandum

TO: Ben Fisk, Deputy City Manager
Elizabeth Neumayer, Community Enrichment Director

FROM: Brian Grube, Recreation Superintendent

DATE: August 20, 2009

RE: Summer Ice Report for May and June 2009.

The initial estimated expenses were \$21,025.00 for both months of operations which includes Temporary Staff labor. The projected and actual costs are illustrated on the follow table.

Expenses for May and June 2009

Account	Description	Estimated additional Expenses to keep summer ice.	Actual expense
2102	Electricity	\$5,048.00	\$5,793.00
2103	Water	\$1,143.00	\$472.00
2104	Heat (water)	\$2,858.00	\$1693.00
2203	Maint Equipment	\$384.00	0
3101	Gas and Oil	\$229.00	\$430.00
3821	Janitorial Supplies	\$507.00	\$85.00
3834	Safety Supplies	\$ 63.00	\$296.00
Total		\$10,232.00	\$8769.00

Note that heat (water) was actually \$1165 less than in 2008 because of not rebuilding the ice.

Temporary Labor Estimate	Temporary Labor Actual
\$10,793.00	\$10,208.00

Temporary Labor for May and June 2009

The revenue for May and June 2009 out performed expectations. The table below outlines total revenue for May and June.

Revenue for May & June, 2009

Youth Organizations	\$7,080.00
Adult Groups	\$8,855.00
Public Skate & skate rentals	\$15,267.00
Pro Shop sales & skate sharpening	\$283.00
Total Revenue	\$31,485.00

Summary

Total Expenses	Total Revenue	Revenue after expenses
\$18, 977	\$31,485.00	\$12, 508

In summary, the initial estimates for keeping ice in the arena and running regular programs were **\$21,025**. The actual cost of doing business was **\$18, 977**. The most significant factor in the reduced costs was the fact that we did not need to flood the rink with hot water to rebuild ice. This was a savings of over \$1,100 compared to 2008 expense. As is shown in the first table the total revenue for May and June was much more favorable than expected. Given the cost vs. revenue amounts Jay Lively was able to produce **\$31,485.00** of Gross revenue and **\$12, 508** of NET revenue. When compared to last year's revenue for May and June (less than \$500) an argument can be made that keeping ice on as a year around goal benefits the community and the City of Flagstaff. It is my recommendation that we keep ice on the arena permanently and market aggressively to maximize community opportunities, summer "Ice Camps", public skating all while enhancing the revenue stream for Recreation Services and the City of Flagstaff.

Attachment # 3

Jay Lively main webpage. The red arrows point to pages that are illustrated in this attachment.

The screenshot shows the City of Flagstaff website with the following elements:

- Header:** CITY OF FLAGSTAFF, SERVICE AT A HIGHER ELEVATION. Navigation links: CITY HALL, RESIDENTS, BUSINESSES, VISITORS, SERVICES.
- Left Sidebar:** Jay Lively Ice Rink Calendar, Flagstaff Coed Hockey League, Ice Skating Lessons, Public Skating Sessions, Party Room Rental, Safety Policies & Guidelines, Ice Skating - Special Events, Ice Skating and Hockey Contacts. Below this are icons for CITY COUNCIL, E-SERVICES, EMERGENCY SERVICES, BE RESOURCEFUL, NOTIFY ME, and REPORT A CONCERN.
- Main Content Area:**
 - Flagstaff:** [Home](#) | [Services](#) | [Recreation Services](#) | Jay Lively Activity Center (Ice Arena)
 - Jay Lively Activity Center (Ice Arena)**
 - Text: "Come join in on the fun! The Jay Lively Activity Center is a public ice skating rink that has opportunities for the whole family."
 - Image:** A group of people ice skating.
 - Buttons:** "View Monthly Calendar" (arrow 1 points here), "Daily Schedule Update" (arrow 2 points here).
 - Contact:**
 - Mike Abeyta, Sr. Recreation Coordinator, (928) 213-2343, [Email](#)
 - John Hellenberg, Recreation Coordinator 1, (928) 213-2346, [Email](#)
 - Kathy Suhr, Recreation Coordinator 1, (928) 213-2345, [Email](#)
 - Address: 1650 N. Turquoise Dr., Flagstaff, AZ 86001
 - Ph: (928) 213-2340, Fax: (928) 774-9718
 - Hours:** Monday - Friday, 8:00 am - 5:00 pm

Red arrows indicate the following points of interest:

- Arrow 1:** Points to the "View Monthly Calendar" button.
- Arrow 2:** Points to the "Daily Schedule Update" button.
- Arrow 3:** Points to the introductory text about the ice skating rink.
- Arrow 4:** Points to the "Ice Skating Lessons" link in the left sidebar.

1.) New! This weekly/monthly schedule will be updated on a weekly basis or as needed.

Flagstaff: [Home](#) | [Services](#) | [Recreation Services](#) | [Jay Lively Activity Center \(Ice Arena\)](#) | Jay Lively Ice Rink Calendar

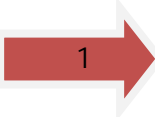
Jay Lively Ice Rink Calendar

Updated: 09/10/12

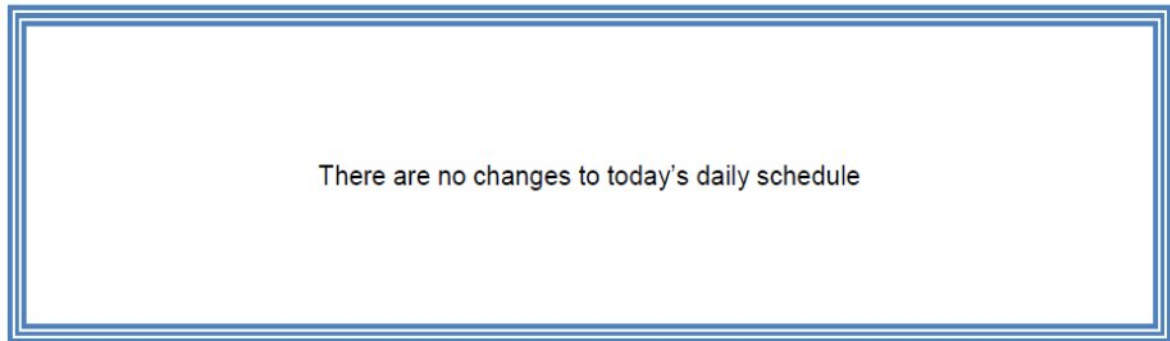
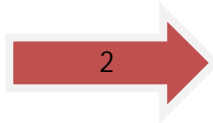
Time: 4:35P

SEPTEMBER 2012 CALENDAR JAY LIVELY ICE RINK

2	3	4	5	6	7	8
Figure Club Flagstaff 2:15P- 4:45P FLAGSTAFF FIGURE SKATING C CITY OF FLAGSTAFF 6:30P- 8:30P OPEN HOCKEY	CITY OF FLAGSTAFF 9:00A- 10:45A ADULT ONLY SKATE CITY OF FLAGSTAFF 11:00A- 2:00P PUBLIC SKATE SESSION Figure Club Flagstaff 3:15P- 4:15P FIGURE SKATING CLUB YOUTH HOCKEY FLAGS 4:30P- 8:45P FYHA Hockey	CITY OF FLAGSTAFF 9:00A- 10:00A STICKS AND PUCKS CITY OF FLAGSTAFF 10:15A- 11:45A ADULT ONLY SKATE CITY OF FLAGSTAFF 12:00P- 2:00P OPEN HOCKEY CITY OF FLAGSTAFF 2:30P- 4:00P PUBLIC SKATE Flagstaff High School Hockey 4:15P- 5:15P HIGH SCHOOL HOCKEY PRACTICE ADULT HOCKEY 8:30P- 9:45P ADULT HOCKEY LEAGUE	YOUTH HOCKEY FLAGS 6:00A- 7:00A FYHA Hockey CITY OF FLAGSTAFF 9:15A- 10:45A ADULT ONLY SKATE SESSIONS CITY OF FLAGSTAFF 11:00A- 2:00P PUBLIC SKATE Figure Club Flagstaff 3:15P- 5:15P FLAGSTAFF FIGURE SKATING CITY OF FLAGSTAFF 5:30P- 7:00P PUBLIC SKATE JUST FOR FUN HOCKEY 7:15P- 8:15P JUST FOR FUN HOCKEY ADULT HOCKEY 8:30P- 9:45P ADULT HOCKEY LEAGUE NAU Hockey Team 10:00P- 12:00 NAU TRYOUTS	CITY OF FLAGSTAFF 10:15A- 11:45A ADULT ONLY SKATE CITY OF FLAGSTAFF 12:00P- 2:00P OPEN HOCKEY CITY OF FLAGSTAFF 2:30P- 4:00P PUBLIC SKATE Flagstaff High School Hoc 4:15P- 5:15P HIGH SCHOOL HOCKEY YOUTH HOCKEY FLAGS 5:30P- 8:45P FYHA Hockey ADULT HOCKEY 9:00P- 10:15P ADULT HOCKEY LEAGUE NAU Hockey Team 10:15P- 12:00A NAU TRYOUTS	YOUTH HOCKEY FLAGS 6:00A- 7:00A Pond Hockey/ Skills CITY OF FLAGSTAFF 9:00A- 10:30A STICKS AND PUCKS CITY OF FLAGSTAFF 11:00A- 2:00P PUBLIC SKATE Figure Club Flagstaff 3:15P- 5:15P FLAGSTAFF FIGURE SKATING CITY OF FLAGSTAFF 5:30P- 8:00P PUBLIC SKATE NAU Hockey Team 8:15P- 10:30P TRYOUTS WITH ICE CUT IN MID	YOUTH HOCKEY FLAGS 9:15A- 10:15A STICK TIME/ GOALIE NAU Hockey Team 10:30A- 12:45P NAU TRYOUTS CITY OF FLAGSTAFF 1:00P- 4:30P PUBLIC SKATE SESSION NAU Hockey Team 4:45P- 7:00P NAU TRYOUTS



- 2.) New! This is the text box that will “pop up” when someone clicks on the orange alert button. This will be updated as changes to the schedule occur.



- 3.) This is an example of our public skate sessions page that will be updated seasonally and/or as needed. Any changes to this will be reflected on the calendar and the alert button, if warranted.

CITY OF FLAGSTAFF
SERVICE AT A HIGHER ELEVATION

[CITY HALL](#) [RESIDENTS](#) [BUSINESSES](#) [VISITORS](#) [SERVICES](#)

[Prices](#)

[CITY COUNCIL](#)
[E-SERVICES](#)
[EMERGENCY SERVICES](#)
[BE RESOURCEFUL](#)
[NOTIFY ME](#)
[REPORT A CONCERN](#)

Flagstaff: [Home](#) | [Services](#) | [Recreation Services](#) | [Jay Lively Activity Center \(Ice Arena\)](#) | Public Skating Sessions

Public Skating Sessions

Public Ice Skating Sessions – All Ages

Enjoy a fun and exciting time! Group accommodations are limited. If your group is planning to visit the ice rink, please call us at (928) 213-2340 and let us know. Birthday parties are held during public skating hours, so remember to schedule your birthday as space is limited. **Reminder:** there is no Public Skating on Sundays and Mondays (except if stated below).

Monday - Sept 3	11:00 a.m. - 1:00 p.m.
Tuesday:	2:30 - 4:00 p.m.
Wednesday:	11:00 a.m. - 1:00 p.m. and 5:30 - 7:00 p.m.
Thursday:	2:30 - 4:00 p.m.
Friday:	11:00 a.m. - 1:30 p.m. and 5:30 - 8:00 p.m.
Saturday:	1:00 - 4:30 p.m.

Adult Skating

"Adult only" skating opportunities are held to give adults a peaceful opportunity to improve skills and meet other adults with similar interests.

Monday & Wednesday:	9:00 - 10:45 a.m.
Tuesday & Thursday:	10:15 - 11:45 a.m.

Adult Open Hockey

Work on your hockey skills and meet new friends at the same time. All Participants are required to wear full hockey equipment and be 18 years and older. *No slap shots, checking or fighting allowed!*

Tuesday & Thursday:	12:00 - 2:00 p.m.
Sunday	6:30 - 8:30 pm (Aug. 26 - Sept. 9) 8:00 - 10:00 pm (effective Sept 16)

Sticks & Pucks

Bring your helmet, gloves and stick to practice your stick handling skills! This time is designated for practicing skills only. Must be 18 years of age or older. *No games, slap shots, or checking allowed!* \$5.25 admission (also gets you admission to adult skate immediately) \$3.25 skate rental

Tuesday:	9:00 - 10:00 a.m.
Friday:	9:00 - 10:30 a.m.

<http://www.flagstaff.az.gov/requesttracker.aspx>

Ice Skating Lesson
Descriptions

-  CITY COUNCIL
-  E-SERVICES
-  EMERGENCY SERVICES
-  BE RESOURCEFUL
-  NOTIFY ME

4

Flagstaff: [Home](#) | [Services](#) | [Recreation Services](#) | [Jay Lively Activity Center \(Ice Arena\)](#) | Ice Skating Lessons

Ice Skating Lessons



About Lessons...

Join us this fall for Ice Skating lessons. Lessons are held on Wednesday evenings. Ice skating lessons are for 40 minutes/day for one day per week and run for four weeks. Register for ice skating lessons at any of the Recreation Centers.

Note: **We recommend helmets for children ages 6 and younger. Lessons are conducted during public skating sessions.**

Pricing: \$35.00 for levels: Snowshoe Hares, Pandas, Penguins and Hockey Classes
\$45.00 for levels: Snow Birds, Seal Pups, Seals and Adults

Register Now!
Click Here

Time	September 5-26 Wednesday's	October 3-24 Wednesday's	*Nov. 7-Dec. 5 Wednesday's	January 9-30 Wednesday's
5:30 p.m.	Snowshoe Hares Pandas Penguins Seal Pups Hockey 1	Snowshoe Hares Pandas Penguins Seal Pups Hockey 1	Snowshoe Hares Pandas Penguins Adults/Teens Hockey 1	Snowshoe Hares Pandas Penguins Adults/Teens Hockey 1
6:15 p.m.	Snowshoe Hares Pandas Penguins Seals Adults/Teens	Snowshoe Hares Pandas Penguins Adults/Teens Hockey 2	Snowshoe Hares Pandas Penguins Seal Pups Seals	Snowshoe Hares Pandas Penguins Seal Pups Hockey 2

Attachment # 4

CITY COUNCIL REPORT

DATE: January 25, 2012
TO: Mayor and Councilmember's

FROM: Elizabeth Anderson, Community Enrichment Services Director

CC: Kevin Burke, Jerene Watson, Josh Copley, Department Directors,
Brian Grube

SUBJECT: BUDGET RETREAT FOLLOW-UP: REDUCTION OF HOURS AT
AQUAPLEX

This report is in response to a request for more information on closing hours of the Aquaplex from the Council at the November Budget Retreat. With the assistance of your assigned departmental accountant, using budget V actual numbers, calculate and discuss the following:

- (1) Calculate a per-user cost of operations (e.g., take total budget, including programming and debt, and divide it by total attendance per year. Then take total expenditures minus revenues and divide by total attendance. Provide breakout with and without revenue offsets and with and without debt service.)
- (2) Show attendance by day and by hour; or if not possible, show attendance first and last hour of the day;
- (3) Compare the rate of Aquaplex usage with other recreation facilities by dividing the square foot of each recreation facility (Aquaplex, Flagstaff Recreation, Jay Lively Activity Center and Cogdill) by average daily user count and show in a table format.

DISCUSSION

The Aquaplex first opened its doors in August 2008 and was immediately embraced by the community. Since that time we have refined our programming and filled a much needed niche in Flagstaff, an affordable and diverse recreation facility. The Aquaplex is also the first recreation facility with a cost recovery placed upon it by City Council direction (50% first year, 60% the second year of operation, and 70% the third and remaining years). To date, in a challenging economic environment the Aquaplex has averaged around 65% cost recovery. The Aquaplex is currently open seven days a week as to be accessible to our patrons and attract new and returning memberships to the facility.

The reduction of hours (closure of one day per week) at the Aquaplex will reduce the City's General Fund contribution approximately **\$65,000 a year**. The vast majority of the savings is in temporary employee hours (\$60,000). Reductions in commodities and contractals make up the balance. The Aquaplex would also

be impacted by a loss in revenue with a one day a week closure. We have calculated approximately **\$36,000 in loss of revenue** with a Tuesday closure, for example. This represents only daily admissions as other revenue sources most likely will remain unchanged or changes are unknown.

Once the budget reduction option of a one-day-a-week Aquaplex closure was publicly released, the Parks and Recreation Commission asked for the opportunity to have their opinion on record. The Parks and Recreation Commission voted unanimously on January 18, 2012, to send the message forward of “strongly opposing” this budget option for the following reasons:

- Credibility of Recreation Services impacted
- Not serving the public’s interests
- Loss of revenue diminishes the projected savings
- Questions about the pass holders “contract” with the City as a member/liability
- Negatively affects people’s workout routines and is inconvenient
- The amount of projected savings is very low, compared to the impact to the community

For comparison purposes, the following charts outline the cost per person to run the Aquaplex on an annual basis. The numbers in this report are from **FY11**, as we felt it was important to provide an entire fiscal year for complete data.

Table 1 represents the cost per person based on budgeted expenses divided by the annual attendance numbers. This number does not capture “drop in” patrons who only use the free public area or ages 4 and under as they use the facility at no cost. Without revenue built into the equation, the cost to run the Aquaplex is **\$9.18** per person in FY11.

Table 1

Per Person Cost of Operations Total Expenses (Budgeted)	Aquaplex
FY2011 Attendance	142,596
FY2011 Budgeted Expenses	\$1,308,336
COF Per Person Cost of Operations Expenses/Attendance	\$9.18

Table 2 represents the cost per person based on FY11 actual expenses. In this scenario, the cost per person is **\$8.52**.

Table 2

Per Person Cost of Operations Total Expenses (Actuals)	Aquaplex
FY2011 Attendance	142,596
FY2011 Actual Expenses	\$1,215,528
COF Per Person Cost of Operations Expenses/Attendance	\$8.52

Table 3 represents the cost per person when you subtract revenue (\$724,468) from the actual expenses (\$1,215,528). The cost per person in this scenario is **\$3.44**.

Table 3

Per Person Cost of Operations (Expenditures minus Revenues)	Aquaplex
FY2011 Attendance	142,596
FY2011 Revenue	\$724,468
FY2011 Actual Expenses	\$1,215,528
Expenditures - Revenue	\$491,060
COF Per Person Cost of Operations Expenses- Revenue/Attendance	\$3.44

Table 4 compares facility use as it relates to square footage of the facility. This table illustrates overall use, based on programmable space.

On a daily average, the Aquaplex has .012 participants per square foot of the facility. As a comparison, Flagstaff Recreation Center has .0071 users per square foot of facility. It should be noted that within the 52,000 square feet of the Aquaplex are the administrative offices for Recreation Services. Additionally, the Aquaplex and Jay Lively are the only two facilities that are open seven days a week. The highest concentration of use is at the Joe C. Montoya Community and Senior Center, while the least amount of concentration is at Cogdill Recreation Center. Jay Lively is unique as it is a specific use facility and 17,000 square feet of the building is dedicated to ice, which is within a strictly controlled area. The Aquaplex is second in concentration of use.

Table 4

	Aquaplex	Flagstaff Recreation Center	Jay Lively Activity Center	Cogdill Recreation Center	Joe C. Montoya Comm. & Sr. Center
Average Daily Attendance	600	120	264	61	220
Square Foot of Facility	52,000	17,000	35,500	8,750	9,250
Daily Attendance/Square Feet	0.012	0.0071	0.0074	0.007	0.024

Table 5 represents the Aquaplex attendance by day, as well as by first and last hour. The attendance numbers on this report reflect an annual number but do not include activity classes, swim lessons, or facility rentals as these do not get captured on daily or hourly reports. The attendance on this table represents daily admissions and member pass card swipes. In FY11 our slowest day was Friday, followed closely by Tuesday. The days tend to fluctuate from year to year, but as a trend Fridays and Tuesdays are our least visited days. Sunday is a much lower number due to the shorter hours (10:00AM – 6:00PM). The table also compares the first hour of operation to the last hour in terms of attendance. The attendance numbers are totals for the year.

Table 5

	<i>Sunday</i>	<i>Monday</i>	<i>Tuesday</i>	<i>Wednesday</i>	<i>Thursday</i>	<i>Friday</i>	<i>Saturday</i>
Totals	13000	20730	20059	20313	21103	19283	20085
First Hour	1582	1057	1024	1209	966	880	333
Sun.: 10-11am Mon.-Sat.: 6-7am							
Last Hour	1300	988	572	832	884	416	468
Sun.: 5-6pm Fri.: 9-10pm Sat.: 8-9pm							

RECOMMENDATION / CONCLUSION

The Flagstaff Aquaplex has a broad membership base that has become accustomed to use of the facility seven days a week. Much of the public view the Aquaplex as a “Health Club,” while many others see it as a recreation facility that is a place to take family and friends. As the Aquaplex has a cost recovery associated with it, we run it as a business within a municipal framework. Another possibility is to close the Aquaplex one hour early (Monday – Saturday) which would reduce expenses by approximately \$20,000 (temporary staff hours). Closing the Aquaplex for one day a week would bring up some of the following challenges :

- How to address current members (annual) whose expectations are a facility that is accessible seven days a week
- How to retain members
- How to attract new members in a competitive market (other “like” facilities are open seven days a week)
- How to meet a 70% cost recovery with reduced level of service
- How to justify reduction in level of service to the community, who voted for the bond that built this facility three and half years ago.

This report is for information only.

Attachment # 5

Flagstaff Aquaplex
2009 Fees & Charges

General Admission

	City Resident	Visitor	Additional Member Discount*
Daily Admissions			Resident / Visitor
Child	\$3.00	\$3.00	
Youth	\$4.00	\$5.00	
Adult	\$5.00	\$7.00	
55 Plus	\$4.00	\$5.00	
Household	\$20.00	\$25.00	
3 Month Pass			
Child	\$50.00	\$55.00	\$37.50 / \$41.25
Youth	\$65.00	\$71.00	\$48.75 / \$53.25
Adult	\$105.00	\$115.00	\$78.75 / \$86.25
55 Plus	\$65.00	\$71.00	\$48.75 / \$53.25
2 Member Household	\$148.00	\$164.00	
Household	\$174.00	\$192.00	
6 Month Pass			
Child	\$90.00	\$99.00	\$67.50 / \$74.25
Youth	\$110.00	\$121.00	\$82.50 / \$90.75
Adult	\$175.00	\$192.00	\$131.25 / \$144.00
55 Plus	\$110.00	\$121.00	\$82.50 / \$90.75
2 Member Household	\$234.00	\$256.00	
Household	\$275.00	\$302.00	
Annual Pass			
Child	\$150.00	\$165.00	\$112.50 / \$123.75
Youth	\$190.00	\$209.00	\$142.50 / \$156.75
Adult	\$310.00	\$340.00	\$232.50 / \$255.00
55 Plus	\$190.00	\$209.00	\$142.50 / \$156.75
2 Member Household	\$425.00	\$468.00	
Household	\$500.00	\$550.00	

Business Pass Program

Fee's example only - discounts % of annual pass fee...

	1-3 Years 10% Discount	4-6 Years 15% Discount	7-10 Years 20% Discount
Annual Pass			
Child	\$135.00	\$127.50	\$120.00
Youth	\$171.00	\$161.50	\$152.00
Adult	\$279.00	\$263.50	\$248.00
55 Plus	\$171.00	\$161.50	\$152.00
2 Member Household	\$382.00	\$361.25	\$340.00
Household	\$450.00	\$425.00	\$400.00

Notes: *Additional Member discount - 25%
2 Member Household discount - 15% in household

Multi-Purpose Rooms

All rates shown are per hour

General/Res/Non-Profit

Non-Peak Time Peak Time

Room Without kitchen	25.00	40.00	
Room With Kitchen	35.00	50.00	
Combined	60.00	75.00	
Comm/For Profit/OoC			
Room Without kitchen	40.00	50.00	
Room With Kitchen	50.00	60.00	
Combined	90.00	110.00	
Internal City Rate			
Room Without kitchen	12.50	20.00	
Room With Kitchen	17.50	25.00	
Combined	30.00	37.50	

Gym

All rates shown are per hour

General/Res/Non-Profit

Non-Peak Time Peak Time

Full Gym	50.00	70.00	
Comm/For Profit/OoC			
Full Gym	70.00	95.00	
Internal City Rate			
Full Gym	25.00	35.00	

Aerobics Room

All rates shown are per hour

General/Res/NonProfit

Non-Peak Time Peak Time

Comm/ForProfit/OoC	\$30.00	\$40.00	
Internal City Rate	\$40.00	\$50.00	
	\$15.00	\$20.00	

Climbing Wall

All rates shown are per hour

General/Res/NonProfit

Non-Peak Time Peak Time

Comm/ForProfit/OoC	\$30.00	\$40.00	
Internal City Rate	\$40.00	\$50.00	
	\$15.00	\$20.00	

Party Room**Straight Room Rental**

\$20.00 per hour

	Rental Plus	BB Party Pkg	Deluxe BD Pkg
Up to 8 Youth	\$72.00	\$85.00	\$130.00
9-16 Youth	\$104.00	\$125.00	\$195.00
17-24 Youth	\$136.00	\$260.00	\$325.00
25-32 Youth	\$168.00	\$350.00	\$440.00

Non-Public Time Pool Rental - Rentals only available after Hours of Operation

	Non-Peak Time	Peak Time	All rates per hour
General/Res/NonProfit			
0-50 people	N/A	N/A	\$300.00
51-100			\$400.00
101-150			\$500.00
Comm/ForProfit/OoC			
0-50 people	N/A	N/A	\$350.00
51-100			\$450.00
101-150			\$550.00
Internal City Rate			
0-50 people	N/A	N/A	\$150.00
51-100			\$200.00
101-150			\$250.00

Public Session Pool "Buy Out" Time - 2 hour minimum - See Definitions Worksheet

	All rates per hour		
	Non-Peak Time	Peak Time	
General/Res/NonProfit			
0-50	\$600.00	\$650.00	
51-100	\$800.00	\$875.00	
101-150 (5 hr. min.)	\$1,000.00	\$1,100.00	
Comm/ForProfit/OoC			
0-50	\$650.00	\$700.00	
51-100	\$875.00	\$950.00	
101-150 (5 hr. min.)	\$1,100.00	\$1,250.00	
Internal City Rate			
0-50 people	N/A	N/A	
51-100			
101-150			

Entire Facility Including Pool

	All rates per hour		
	After Hours	Non-Peak Time	Peak Time
General/Res/NonProfit	\$750.00	\$950.00	\$1,250.00
Comm/ForProfit/OoC	\$1,250.00	\$1,450.00	\$1,500.00
Internal City Rate	\$375.00	\$475.00	\$625.00

Attachment # 6 User fee practices and Recreation revenues and expenditures

The City has historically used two guidelines for establishing fees.

(1) The first is the practice Recreation has had in place for some time. Recreation establishes user fees that allow for recovery of 50% of direct costs for children's programs and 100% of direct cost for adult recreational programs.

(2) The second is a formal user fee study, last presented to Council in 2009 that sets recovery rates for the full cost of providing a City service. The 2009 user fee staff summary is attached. On page 2 of the staff summary, the box at the top represents the goal of cost recovery for each of the stated City service areas. When a formal user fee study is completed, costs both within and outside a division are included. For example, the full cost of a special permit includes not only the recreation staff time, but would also include traffic, building safety, risk management, facilities, police, etc. as all of these departments have a role in reviewing the application as well as providing a presence at some of the events. The 15% recovery rate for Recreation excluded the Aquaplex as it was a new service at the time of the study.

Also attached is a chart that shows the various recreation programs and their related revenue along with the calculated recovery rates. Please follow along with the chart provided (last page).

In reference to the first policy – the second line from the bottom highlighted in blue indicates what percent of direct cost we are recovering. This is not separated between children and adults – but overall, the City is recovering 48.22% of direct costs – below the threshold for both children and adults. Information is provided for each separate service area.

In reference to the minimum fee recovery percentages as established in 2009, the bottom line in purple indicates we are recovery 30.82% of all recreation costs (direct plus administrative) but this number is skewed due to the inclusion of the Aquaplex and this worksheet doesn't include all of the outside costs that a formal user fee study would.

RECOMMENDATION / CONCLUSION

Item No. _____

This report is for information only.

CITY OF FLAGSTAFF STAFF SUMMARY REPORT



To: The Honorable Mayor and Council
From: Barbara Goodrich, Extension 3201
Management Services, Finance Division
Date: September 18, 2012
Meeting Date: August 18, 2009

TITLE: CONSIDERATION OF AN ORDINANCE OF THE COUNCIL OF THE CITY OF FLAGSTAFF ARIZONA AMENDING TITLE 3, "BUSINESS" OF THE FLAGSTAFF CITY CODE BY ADDING A NEW CHAPTER 10, ENTITLED "USER FEES", TO PROVIDE FOR PLANNING FEES, ENGINEERING FEES, FIRE FEES, POLICE FEES, RECREATION FEES, CITY CLERK FEES, CEMETERY FEES, AND TAX LICENSING AND REVENUE FEES.

RECOMMENDED ACTION:

Read Ordinance 2009-19 for the second time by title only
Adopt Ordinance 2009-19

ACTION SUMMARY:

This ordinance establishes fees at rates not to exceed costs for several city departments within cost recovery guidelines as determined by Council at the April 27 – 29, 2009 Council Budget meetings.

DISCUSSION:

Background/History:

The City of Flagstaff has historically charged user fees for certain City services determined to benefit certain citizens. User fees can not exceed the cost to provide the service. The City engaged MGT of America to provide a thorough analysis of various City services to determine their costs, and current subsidy that the City of Flagstaff provides for those services. The services reviewed by MGT include:

- ❖ Planning

- ❖ Engineering
- ❖ Fire
- ❖ Police
- ❖ Recreation
- ❖ City Clerk
- ❖ Cemetery
- ❖ Facilities
- ❖ Tax, Licensing, and Revenue
- ❖ Environmental service fee

Within each of these categories, the City Council determined a recovery rate and the resultant fees were determined to meet that recovery rate. A summary of the anticipated recovery rate and the approximately incremental revenue is shown below.

Fee area	Current recovery %	Proposed recovery %	Incremental revenue
Planning	35%	50%	\$198,125
Engineering	49%	50%	\$15,402
Fire	0%	30%	\$77,520
Police	26%	80%	\$61,390
Recreation	11%	15%	\$133,217
City clerk	4%	70%	\$15,590
Cemetery	60%	66%	\$12,288
Tax, licensing, and revenue	60%	80%	\$24,828
Total			\$538,360

PLANNING:

The current cost recovery of planning services is 35% per the MGT of America consultant report. City Council has supported a 50% cost recovery of fee related services for year one. The City recommends the following fee structure, recognizing that some rates will decrease so that the 50% cost recovery isn't exceeded.

	Fee type	Volume	Current Fee	% of Full Cost	Proposed Fee	Incremental Revenue
	Subdiv Plats - Development Mast	1	\$1,500	63%	\$1,182	-\$318
	Subdiv Plats - Dev Master Plan pe	250	\$150	44%	\$170	\$4,970
d)	Subdiv Plats - DRB Concept Plan	12	\$250	25%	\$493	\$2,915
d)	Subdiv Plats - Preliminary Plat su	8	\$1,500	24%	\$3,166	\$13,330
	Subdiv Plats - Preliminary Plat pe	65	\$50	29%	\$85	\$2,293
a)	Subdiv Plats - Preliminary Plat rev	2	\$375	61%	\$310	-\$130
a)	Subdiv Plats - Preliminary Plat ex	2	\$750	196%	\$192	-\$1,116
d)	Subdiv Plats - Final Plat submittal	8	\$1,000	57%	\$876	-\$996
	Subdiv Plats - DRB Formal Subm	30	\$20	1%	\$761	\$22,228
	Subdiv Plats - Minor Land Divisio	6	\$250	20%	\$628	\$2,268
d)	Subdiv Plats - Lot Split	42	\$500	438%	\$57	-\$18,604
	Subdiv Plats - Tentative Plat per l	65	\$250	147%	\$85	-\$10,707
d)	Rezoning - Commercial	2	\$2,000	34%	\$2,940	\$1,881
	Rezoning - Commercial per acre	7	\$50	30%	\$83	\$233
d)	Rezoning - Industrial	1	\$1,000	17%	\$2,940	\$1,940
	Rezoning - Industrial per acre	10	\$50	28%	\$91	\$409
d)	Rezoning - High Density Resident	3	\$2,000	23%	\$4,322	\$6,967
	Rezoning - High Density Resdtl -	15	\$50	28%	\$91	\$613
d)	Rezoning - Medium Density Resid	2	\$2,000	34%	\$2,940	\$1,881

	Rezoning - Medium Density Resd	15	\$50	28%	\$91	\$613
d)	Rezoning - Low Density Resident	2	\$1,500	39%	\$1,914	\$828
	Rezoning - Low Density Resdntl -	20	\$50	28%	\$91	\$817
	Rezoning - extension	1	\$300	26%	\$570	\$270
d)	Gen Plan Amend - Land Use	4	\$2,000	51%	\$1,959	-\$165
	Gen Plan Amend - Land Use per	150	\$150	32%	\$235	\$12,705
d)	Gen Plan Amend - Specific Plan/	2	\$2,500	50%	\$2,518	\$36
	Gen Plan Amend - Specific Plan/	300	\$50	27%	\$94	\$13,112
d)	Gen Plan Amend - w/ Rezoning p	4	\$2,000	30%	\$3,304	\$5,215
	Gen Plan Amend - w/ Rezoning p	150	\$100	27%	\$187	\$13,112
	Cond/Special Use Permit - Reside	4	\$500	31%	\$799	\$1,195
	Cond/Special Use Permit - Non re	8	\$1,000	38%	\$1,332	\$2,653
	Cond/Special Use Permit - Schoo	4	\$500	16%	\$1,590	\$4,360
a)	Cond/Special Use Permit - Extens	1	\$500	61%	\$412	-\$88
	Variance - Single Family Resdntl	1	\$100	11%	\$472	\$372
	Variance - Residential	1	\$350	37%	\$472	\$122
	Variance - Nonresidential	1	\$500	53%	\$472	-\$28
	Variance - Nonprofit	1	\$350	37%	\$472	\$122
	Appeals - to BOA	1	\$250	18%	\$701	\$451
	Appeals - to P&Z and Council	1	\$450	30%	\$744	\$294
	Annexation	2	\$750	30%	\$1,259	\$1,018
	Continuance	1	\$750	116%	\$322	-\$428
d)	DRB/Site Plan Rvw - Concept	100	\$250	11%	\$1,149	\$89,919
d)	DRB/Site Plan Rvw - < 1 acre	80	\$1,000	33%	\$1,496	\$39,719
d)	DRB/Site Plan Rvw - > 1 acre	80	\$1,000	67%	\$748	-\$20,167
d)	DRB/Site Plan Rvw - per acre	3	\$50	3%	\$911	\$2,582
d)	DRB/Site Plan Rvw - Revisions	10	\$500	120%	\$208	-\$2,925
d)	DRB/Site Plan Rvw - P&Z review	1	\$250	7%	\$1,696	\$1,446
	Zoning Verification - letter	24	\$200	61%	\$165	-\$850
	Zoning Verification - Liquor Licens	36	\$300	331%	\$45	-\$9,170
	Historic Preservation - Cert of App	48	\$150	269%	\$28	-\$5,861
d)	Zoning Permit	144	\$50	47%	\$53	\$500
	Sign Permit - Standard sign	144	\$100	52%	\$97	-\$484
	Sign Permit - Standard sign per s	144	\$0.35	0%	\$119	\$17,126
	Sign Permit - Comprehensive Rev	1	\$1,500	152%	\$493	-\$1,007
	Sign Permit - ROW or illegal sign	240	\$25	45%	\$28	\$659
	Engineering Public Impvmnt Plan	500	\$0	0%	\$0	\$0
	Total					\$198,125

- a) These fees are percentage based. The current fee shown is an approximate.
- b) These services were reallocated as overhead to current planning applications.
- c) A portion of this service (25%) was reallocated as overhead to current planning applications.
- d) These services include Design Review Board costs from other departments.
- e) This service was reallocated across all DRB applications as an overhead.

ENGINEERING:

The current cost recovery of the following engineering activities is 49% per the MGT of America consultant report. City Council has supported a 50% cost recovery percentage for year one. The City recommends the following fee structure, recognizing that some rates will decrease so that the 50% cost recovery isn't exceeded.

	Fee type	Volume	Current Fee	% of Full Cost	Proposed fee	Incremental revenue
	1st - Constr & Grading - drainage report	6	\$200	38%	\$266	\$396
	1st - Constr & Grading - engineering review, per sheet	300	\$225	68%	\$166	-\$17,786
	Public Improvement Plan Check - Road/Drainage/Water/Sewer	500	\$225	28%	\$395	\$84,986
a)	Public Improvement Inspection - Road	1	\$150,879	74%	\$101,897	-\$48,982
b)	Public Improvement Inspection - Drainage	1	\$22,199	20%	\$55,027	\$32,827
c)	Public Improvement Inspection - Water	1	\$67,651	37%	\$91,531	\$23,880
d)	Public Improvement Inspection - Sewer	1	\$52,573	29%	\$91,531	\$38,958
e)	As builts - Revisions to original plans	1	\$214,181	212%	\$50,535	-\$163,646
	General ROW permit	150	\$51	9%	\$275	\$33,538
	Traffic Impact Analysis review - 0 and 1	1	\$0	0%	\$469	\$469
	Traffic Impact Analysis review - 2M	2	\$0	0%	\$8,456	\$16,912
	Traffic Impact Analysis review - 2L + 2 Multi	1	\$0	0%	\$11,387	\$11,387
	Soils Report Review	42	\$0	0%	\$59	\$2,462
	Total					\$15,402

(a) This fee is charged on a percentage basis. The recommendation is to decrease the percentage from 2.3% to 1.55%.

(b) This fee is charged on a percentage basis. The recommendation is to increase the percentage from 1.9% to 4.71%.

© This fee is charged on a percentage basis. The recommendation is to increase the percentage from 1.9% to 2.57%.

(d) This fee is charged on a percentage basis. The recommendation is to increase the percentage from 1.9% to 3.31%.

(e) This fee is charged on a percentage basis. The recommendation is to decrease the percentage from 1.0% to 0.24%.

FIRE:

The current cost recovery of the fire services presented below is 0% per the MGT of America consultant report. City Council has supported a 30% cost recovery of fee related services for year one.

Permit Type	Number	Cost Each	Frequency per Year	Incremental Revenue
Kitchen Hoods	212	\$60	2	\$25,440
Fuel Dispensing	37	\$70	1	\$2,590
Auto Repair	217	\$70	1	\$15,190
Sprinkler Plan Review	20	\$100	1	\$2,000
Sprinkler Install Inspection	80	\$60	1	\$4,800
Alarm System Plan Review	15	\$70	1	\$1,050
Alarm System Install Inspection	15	\$90	1	\$1,350
State License Inspection **	72	\$100	1	\$7,200
Fuel Management Plan Review	30	\$50	1	\$1,500
Fuel Management Work	5	\$400	1	\$2,000
Environmental Clearance Letter	40	\$50	1	\$2,000
Bars	60	\$100	1	\$6,000
Hotels	64	\$100	1	\$6,400
TOTALS	867			\$77,520

POLICE:

The current cost recovery of the police services presented below is 26% per the MGT of America consultant report. City Council has supported a 80% cost recovery of fee related services for year one.

Fee Type	Volume	Current Fee	% of Full cost	Proposed Fee	Incremental Revenue
Fingerprinting	3750	\$ 5	86%	\$6	\$3,750
Background checks	4050	\$ -	0%	\$7	\$28,350
Bicycle licenses	290	\$ 1	9%	\$2	\$290
Police alarm permit	200	\$ 10	32%	\$10	\$0
30 day impound	800	\$ 150	99%	\$150	\$0
Police reports	13000	\$ 6	69%	\$8	\$26,000
Copies of tapes	600	\$ 25	82%	\$30	\$3,000
TOTALS	22690				\$61,390

This fee scenario allows for approximately 25% of background checks to be subsidized. A subsidy will be granted to individuals for the purpose of serving as a volunteer for a non-profit community, civic, or social organization that supports youth activities in Flagstaff.

RECREATION:

The current cost recovery of all recreational programs (excluding the Aquaplex) is 11% per the MGT of America consultant report. City Council has supported a 15% cost recovery percentage for year one which leaves a 4% increase needed. The attached table indicates that this is a minimal impact to the participant, renter, or event producer. The 'Fee per Each' column has been round to the nearest \$0.25 to facilitate fee pricing and collection.

Facility or Equipment	Current Fee 12/15/2007	Fee per Each
Ice Arena		
Admissions - Single Entry - each		
Child (4 & under)	N/C w/paid CG	
Youth (5-17)	2.50	2.75
Adult (18 & over)	5.00	5.25
Chaperoned Youth Group Participant (10 or more youth, 1:15 ratio)	2.00	2.25
Specialty Session (ex. Scrimmage, Stick Time)	10.00	10.50
Admissions - Punch Cards		
Youth (20 admissions)	37.50	39.00
Adult (20 admissions)	75.00	78.00
Specialty Session (10 admissions)	75.00	78.00
Arena Rental (Note 1, 8) - hour		
<i>Non-Public Arena Time</i>		

Individuals	100.00	104.00
Youth Non-Profit Community Organizations	50.00	52.00
Adult Non-Profit Community Organizations	100.00	104.00
Commercial, For-Profit, or Out of Community Organizations	200.00	208.00
Holiday Rental - Add 25% on fee	no change	no change
<i>Public Session Arena "Buy Out" Time - hour (entire session only)</i>		
Individuals	not available	not available
Youth Non-Profit Community Organizations	250.00	260.00
Adult Non-Profit Community Organizations	500.00	520.00
Commercial, For-Profit, or Out of Community Organizations	1,000.00	1040.00
Holiday Rental - Add 25% on fee		
<i>Arena Rental Without Ice (Note 3) (May-Jun subject to avail.) - hour</i>		
Facility or Equipment	Current Fee	
	12/15/2007	
Individuals	30.00	31.25
Youth Non-Profit Community Organizations	15.00	15.75
Adult Non-Profit Community Organizations	30.00	31.25
Commercial, For-Profit, or Out of Community Organizations	60.00	62.50
Holiday Rental - Add 25% on fee	no change	no change
Spectator Admission (Note 2) - each		
Child	N/C w/paid CG	
Youth	1.00	1.25
Adult	2.00	2.25
Arena Permits		
Concession/Merchandise Table - each, per event	5.00	5.25
Party/meeting room (3, 8) - hour		
Individuals	14.00	16.75
Youth Non-Profit Community Organizations	14.00	9.50
Adult Non-Profit Community Organizations	14.00	16.75
Commercial, For-Profit, or Out of Community Organizations	14.00	31.25
Holiday Rental - Add 25% on fee		
Training Room (Note 3, 8) - hour		
Individuals	14.00	14.75
Youth Non-Profit Community Organizations	7.00	7.50
Adult Non-Profit Community Organizations	14.00	14.75
Commercial, For-Profit, or Out of Community Organizations	28.00	29.25
Holiday Rental - Add 25% on fee	no change	no change
Equipment Rental		

Figure Skates	3.00	3.25
Hockey Skates	3.00	3.25
Skate Rental Punch Pass (20 rentals)	45.00	47.00
Skate Shapening	5.00	5.25
Facility or Equipment	Current Fee	Proposed fees
	12/15/2007	Rounded up
Recreation Centers		
Depsit for room / Facility Rentals (refundable)		
Room Deposit (per room)		50.00
Facility Rental Deposit (five rooms or more)		200.00
Club Annual Meeting Permit (during regular hours only)		
1-3 meetings/yr	25.00	26.00
4-12 meetings/yr	45.00	47.00
13-26 meetings/yr	65.00	67.57
27-52 meetings/yr	85.00	88.50
53 + meetings/yr	105.00	109.25
Room Rental (Note 3, 8) - hour		
Standard Room		
Individuals	16.00	16.75
Youth Non-Profit Community Organizations	9.00	9.50
Adult Non-Profit Community Organizations	16.00	16.75
Commercial, For-Profit, or Out of Community Organizations	30.00	31.25
Holiday Rental - Add 25% on fee	no change	no change
Thorpe Park Community and Senior Center Kitchen		
Individuals	15.00	15.75
Youth Non-Profit Community Organizations	7.50	8.00
Adult Non-Profit Community Organizations	15.00	15.75
Commercial, For-Profit, or Out of Community Organizations	30.00	31.25
Holiday Rental - Add 25% on fee	no change	no change
Thorpe Park Community and Senior Center Allen/plus divided meeting room		
Individuals	34.00	35.50
Youth Non-Profit Community Organizations	17.00	17.75
Adult Non-Profit Community Organizations	34.00	35.50
Commercial, For-Profit, or Out of Community Organizations	68.00	70.75
Holiday Rental - Add 25% on fee	no change	no change
Cogdill Gymnasium		
Individuals	22.00	23.00

Facility or Equipment	Current Fee 12/15/2007	Proposed fees Rounded up
Youth Non-Profit Community Organizations	11.00	11.50
Adult Non-Profit Community Organizations	22.00	23.00
Commercial, For-Profit, or Out of Community Organizations - Tournaments	44.00	46.00
Holiday Rental - Add 25% on fee	no change	no change
.		
Flagstaff Recreation Center Gymnasium		
Individuals	26.00	27.25
Youth Non-Profit Community Organizations	13.00	13.75
Adult Non-Profit Community Organizations	26.00	27.25
Commercial, For-Profit, or Out of Community Organizations	60.00	62.50
Holiday Rental - Add 25% on fee	no change	no change
Flagstaff Recreation Center Indoor Racquetball Court (during regular hours only)		
Individuals	discontinue	discontinue
Youth Non-Profit Community Organizations	discontinue	discontinue
Adult Non-Profit Community Organizations	discontinue	discontinue
Commercial, For-Profit, or Out of Community Organizations	discontinue	discontinue
Holiday Rental - Add 25% on fee	no change	no change
Recreation Center Equipment Rental		
Disc Golf Discs	1.00/ea	1.25/ea
Billiard Set		
Youth (6-17)	N/C	N/C
Adult (18 & over)	1.00/set	1.25/set
Weight Room Annual Pass - each		
Cogdill and Flagstaff Recreation Centers		
Youth (13-17)	15.00	15.75
Adult (18 & over)	45.00	47.00
Thorpe Park Community and Senior Center		
Youth (13-17)		60.00
Adult (18 & over)	75.00	78.00
Senior Citizen - 55 and older	50.00	52.00
Adult Pass = \$6.25 per month. Sr. Pass = \$4.17 per month	no change	6.50 / 4.50
Facility or Equipment	Current Fee 12/15/2007	Proposed fees Rounded up
Outdoor Courts		
Basketball, Handball, Horseshoe, Volleyball - per court per hour		
Reserved Practice and Game Allocations (Note 8)		
Individuals	2.50	2.75
Youth Non-Profit Community Organizations	1.25	1.50

Adult Non-Profit Community Organizations	2.50	2.75
Commercial, For-Profit, or Out of Community Organizations	5.00	5.25
Holiday Rental - Add 25% on fee	no change	no change
<i>Reserved Tournament Rentals</i>		
Individuals	5.00	5.25
Youth Non-Profit Community Organizations	2.50	2.75
Adult Non-Profit Community Organizations	5.00	5.25
Commercial, For-Profit, or Out of Community Organizations	10.00	10.50
Holiday Rental - Add 25% on fee	no change	no change
Tennis Courts/per hour/ per court		
<i>Reserved Practice and Game Allocations (Note 8)</i>		
Individuals	5.00	5.25
Youth Non-Profit Community Organizations	2.50	2.00
Adult Non-Profit Community Organizations	5.00	5.25
Commercial, For-Profit, or Out of Community Organizations	10.00	10.50
Holiday Rental - Add 25% on fee	no change	no change
This for exclusive use		
<i>Reserved Tournament Rentals/ hour</i>		
Individuals	10.00	10.50
Youth Non-Profit Community Organizations	5.00	5.25
Adult Non-Profit Community Organizations	10.00	10.50
Commercial, For-Profit, or Out of Community Organizations	20.00	21.00
Holiday Rental - Add 25% on fee	no change	no change
	Current Fee	Proposed fees
	12/15/2007	Rounded up
Outdoor Fields		
Baseball, Softball - per field per hour		
<i>Practice and Game Allocations (Note 8)</i>		
Individuals	5.00	5.25
Youth Non-Profit Community Organizations (per part./per season-\$15/max/fam)	5.00	5.25
Adult Non-Profit Community Organizations	5.00	5.25
Commercial, For-Profit, or Out of Community Organizations	10.00	10.50
Holiday Rental - Add 25% on fee		
<i>Tournament Rentals</i>		
Individuals	10.00	10.50
Youth Non-Profit Community Organizations (per team/per tournament)	5.00	5.25
Adult Non-Profit Community Organizations	10.00	10.50

Commercial, For-Profit, or Out of Community Organizations (<i>Note 4</i>)	20.00	21.00
Holiday Rental - Add 25% on fee	no change	no change
Soccer - per field per hour		
<i>Practice and Game Allocations (Note 8)</i>		
Individuals	5.00	5.25
Youth Non-Profit Community Organizations (per part./per season-\$15/max/fam)	5.00	5.25
Adult Non-Profit Community Organizations	5.00	5.25
Commercial, For-Profit, or Out of Community Organizations	10.00	10.50
Holiday Rental - Add 25% on fee	no change	no change
Tournament Rentals		
Individuals	10.00	10.50
Youth Non-Profit Community Organizations (per team/per tournament)	5.00	5.25
Facility or Equipment	Current Fee	Proposed fees
	12/15/2007	Rounded up
Adult Non-Profit Community Organizations	10.00	10.50
Commercial, For-Profit, or Out of Community Organizations (<i>Note 4</i>)	20.00	21.00
Additional Beginning of day Field Prep. [Per Field]	15.00	15.75
Holiday Rental - Add 25% on fee	no change	no change
Field & Court Permits		
Concession Stand - per week, per number fields allocated @ site	5.00	5.25
Concession/Merchandise Table - each, per event	5.00	5.25
Field and Court Lights		
Sport Courts - per court, per hour	10.00	10.50
Sport Fields - per field, per hour	30.00	31.25
Sport Fields - Youth Non-Profit Community Organizations - per field, per hour	10.00	10.50
Ramadas		
<i>Level A (Bushmaster South, Foxglenn 1, Thorpe)</i>		
(PER HOUR CHARGE)	10.00	10.50
<i>Level B (Bushmaster North, Foxglenn 2 & 3, Ponderosa)</i>		
(PER HOUR CHARGE)	7.50	8.00

<i>Level C (Buffalo, Kiwanis, Mobile Haven, Old Town Springs, Ponderosa Trls)</i>		
(PER HOUR CHARGE)	5.00	5.25
Equipment Rental - each		
Activity/Picnic Pack	15.00	15.75
Facility or Equipment	Current Fee	Proposed fees
	12/15/2007	Rounded up
Special Events/Reserved Areas in Parks (Note 5)		
Special Event Application Fee		
"A" Events	40.00	41.75
"B" Events	30.00	31.25
"C" Events	20.00	21.00
Late Fee		
"A" Events		100.00
"B" Events		75.00
"C" Events	50.00	52.00
Refundable deposits		
A & B Events		350.00
C Events		100.00
Most Sites (excludes Wheeler, Heritage Square, Parking, Street Closure, Ramada Rental)		
<i>Half Day 7 Hours or Less</i>		
Individuals/Private Gatherings on City Property	20.00	21.00
Non-Profit Community Organizations/Public Gatherings on City Property	40.00	41.75
Commercial, For-Profit, or Out of Community Organizations on City Property	80.00	83.25
<i>Full Day More than 7 Hours</i>		
Individuals/Private Gatherings on City Property	32.00	33.50
Non-Profit Community Organizations/Public Gatherings on City Property	64.00	66.75
Commercial, For-Profit, or Out of Community Organizations on City Property	130.00	135.25
Heritage Square/Wheeler Park		
<i>Half Day 7 Hours or Less</i>		
Individuals/Private Gatherings on City Property	not available	47.00
Non-Profit Community Organizations/Public Gatherings on City Property	45.00	47.00
Commercial, For-Profit, or Out of Community Organizations on City Property	90.00	93.75

<i>Full Day More than 7 hours</i>		
Individuals/Private Gatherings on City Property	not available	73.00
Non-Profit Community Organizations/Public Gatherings on City Property	70.00	73.00
Commercial, For-Profit, or Out of Community Organizations on City Property	140.00	145.75
Event Series (Note 6) - each		
<i>Half Day Non-Profit (7 Hours or Less)</i>		
3-6 events	18.00	18.75
7-12 events	15.00	15.75
13-24	12.00	12.50
25+	9.00	9.50
<i>Full Day Non-profit (More than 7 Hours)</i>		
3-6 events		25.25
7-12 events	15.00	21.00
13-24	12.00	17.00
25+	9.00	12.75
<i>Half Day Commercial(7 Hours or Less)</i>		
3-6 events	18.00	28.50
7-12 events	15.00	23.75
13-24	12.00	19.00
25+	9.00	14.25
<i>Full Day Commercial (More than 7 Hours)</i>		
3-6 events	24.30	39.75
7-12 events	20.25	33.25
13-24	16.20	26.50
25+	12.15	20.00
Parking Lot Closure for Events (excludes Wheeler and City Hall Lots)		
<i>Half Day (7 Hours or Less)</i>		
Individuals/Private Gatherings on City Property	not available	23.00
Non-Profit Community Organizations/Public Gatherings on City Property	22.00	23.00
Commercial, For-Profit, or Out of Community Organizations on City Property	44.00	46.00
<i>Full Day (More than 7 Hours)</i>		
Individuals/Private Gatherings on City Property	not available	36.50
Non-Profit Community Organizations/Public Gatherings on City Property	35.00	36.50
Commercial, For-Profit, or Out of Community Organizations on City Property	70.00	73.00
Wheeler Park & City Hall Parking Lot Closure for Event		
<i>Half Day (7 Hours or Less)</i>		
Individuals/Private Gatherings on City Property	not available	45.00
Non-profit/Community Organization on City Property	30.00	31.25
Commercial, For-Profit, or Out of Community	60.00	62.50

Organizations on City Property		
<i>Full Day (More than 7 Hours)</i>		
Individuals/Private Gatherings on City Property	not available	52.00
Non-Profit Community Organizations/Public Gatherings on City Property	50.00	52.00
Commercial, For-Profit, or Out of Community Organizations on City Property	100.00	104.00
Street Closure/Parade (Per Street Block)		
Staging Area		25.00
Half Day (7 Hours or Less)	22.00	
Non-Profit		10.00
Commercial, For-Profit, or Out of community Organization		20.00
Full Day	35.00	
Non-Profit		15.00
Commercial, For-Profit, or Out of community Organization		30.00
Overnight (10pm - 8am)	20.00	21.00
Wheeler Park & Heritage Square Electrical Use		
<i>Half Day(7 Hours or Less)</i>		
"A", "B" Events	24.00	25.00
"C" Events	12.00	13.00
Wheeler Park & Heritage Square Electrical Use		
<i>Full Day (More than 7 Hours)</i>		
"A", "B" Events	40.00	41.75
"C" Events	20.00	21.00
Event Series - <i>each Eletrical Use</i>		
<i>Half Day (7 Hours or Less)</i>		
"A", "B" Events	8.00	
Full Day (More than 7 Hours)		
"A", "B" Events		18.00
Event Equipment Rental - each, per event day		
Banner poles (pair)	N/C	5.00 per pair
Downtown Banner (Note 7) - each		
<i>North Downtown</i>		
C Pricing (Outlining Areas)		
1-3 month display		21.00
4-6 month display		31.25
7-9 month display		41.75
10-12 month display		52.00
A Pricing (Premium)		
1-3 month display		32.00
4-6 month display		48.00
7-9 month display		63.00
10-12 month display		79.00

<i>B Pricing (Mid-Range)</i>		
1-3 month display		25.00
4-6 month display		38.00
7-9 month display		50.00
10-12 month display		63.00
<i>South Downtown</i>		
4-6 month display		32.00
7-9 month display		48.00
10-12 month display		79.00

CITY CLERK:

The current cost recovery of the City Clerk services presented below is 4% per the MGT of America consultant report. City Council has supported a 70% cost recovery of fee related services for year one.

Fee Type	Volume	Current Fee	% of Full cost	Proposed Fee	Incremental Revenue
Off track betting fees - initial	2	\$ 200	42%	\$480	\$560
Off track betting fees - renewal	2	\$ 150	39%	\$385	\$470
Liquor license	26	\$ -	0%	\$560	\$14,560
Publicity pamphlet argument	1	\$ 200	0%	\$200	\$0
TOTALS	31				\$15,590

CEMETERY:

The current cost recovery of the Cemetery services presented below is 60% per the MGT of America consultant report. City Council has supported a 66% cost recovery of fee related services for year one.

Fee Type	Volume	Current Fee	% of Full cost	Proposed Fee	Incremental Revenue
Open/close (excludes easement)	145	\$ 725	66%	\$810	\$12,325
Cremains (excludes easement)	20	\$ 450	111%	\$400	-\$1,000
Mausoleum open/close	1	\$ 490	120%	\$400	-\$90
Marker setting	9	\$ 113	18%	\$120	\$63
Infants (excluding easement)	9	\$ 175	28%	\$175	\$0
Columbarium open/close	22	\$ 125	50%	\$175	\$1,100
Exhumations	1	\$ 1,200	109%	\$1,090	-\$110
TOTALS	207				\$12,288

The Cemetery cost recovery level was recommended to stay the same, with the exception of funding watering which necessitated an overall increase in fees of approximately \$12,000.

TAX, LICENSING, AND REVENUE:

The current cost recovery of the Tax, Licensing, and Revenue services presented below is 60% per the MGT of America consultant report. City Council has supported a 80% cost recovery of fee related services for year one.

Fee Type	Volume	Current Fee	% of Full cost	Proposed Fee	Incremental Revenue
Sales tax license	1193	\$ 25	54%	\$46	\$25,053
Occupational business license - set up	412	\$ 20	43%	\$20	\$0
Occupational business license - renewal	1681	\$ 20	72%	\$20	\$0
Occupational Business License - Video Games - Set up	2	\$5 per machine per year	NA	\$5 per machine per year	\$0
Occupational Business License - Video Games - Renew	12	\$5 per machine per year	NA	\$5 per machine per year	\$0
Occupational Business License - Circuses and Carnivals - Set up	3	\$5 - \$50	NA	\$5 - \$50	\$0
Ground transport - taxi	12	\$ 50	131%	\$38	-\$144
Ground transport - motor coach	1	\$ 150	394%	\$38	-\$112
Ground transport - renew	19	\$ 50	618%	\$8	-\$798
Sex oriented business	2	\$ 250	65%	\$386	\$272
Sex oriented business renew	2	\$ 250	65%	\$386	\$272
Scavenger waste permit	15	\$ 5	21%	\$24	\$285
TOTALS	3354				\$24,828

Key Considerations:

To balance the FY2010 budget and restore certain services within the City, the City Council elected to increase user fees over current levels by approximately \$500,000. In addition, user fees were increased at the Cemetery to generate an additional \$12,000 in revenue to pay for adequate watering. The table in the 'Background/History' section includes a summary of how this goal was met.

Community Benefits and Considerations:

This action allows users to pay for the specific services they receive rather than burdening every taxpayer for the provision of this service.

Community Involvement:

For each service area, the community involvement was as follows:

- ❖ Planning – met with Flagstaff Chamber of Commerce, Northern Arizona Building Association
- ❖ Engineering – met with Flagstaff Chamber of Commerce, Northern Arizona Building Association
- ❖ Fire - met with Flagstaff Chamber of Commerce, Northern Arizona Building Association
- ❖ Police – A sign was placed in the PD lobby giving advance notice of the new fee schedule. The Police Department also contacted community non-profits who use the background check service which were previously free of charge.
- ❖ Recreation– Parks and Recreation Commission
- ❖ City Clerk - none
- ❖ Cemetery - none
- ❖ Sales tax - none

Financial Implications:

The City has adopted the FY2010 budget with the assumption that an incremental amount of \$512,000 will be generated through new or increased rates of existing user fees. Should the City not adopt these fees, program reductions will have to occur to keep the City budget balanced. If the City delays the adoption of the user fees and does not realize the \$512,000 increment for FY2010, the City may again have to reduce services in the general fund to compensate for the lost revenue

Options and Alternatives:

Approve as presented.

Approve with modifications to recovery rates

Do not approve and re-evaluate service provision from the General Fund

Attachments/Exhibits:

Ordinance No. 2009-19

Division Director *(Acknowledgment that all reviews have been completed and required approvals initialed below.)*

INITIALS	RESPONSIBILITY	DATE	INITIALS	RESPONSIBILITY	DATE
_____	BIDS/PURCHASES	_____	_____	FINANCE/BUDGET	_____
_____	GRANTS	_____	_____	CONTRACTS	_____
_____	LEGAL	_____	_____	IGAS	_____
_____	_____	_____	_____	_____	_____

DATE OF COUNCIL
APPROVAL: _____

City of Flagstaff									
Recreation									
FY2012 Unaudited actual									
Program number	3001	3002	3010	3011	3012	3015	3020	3022	
	Admin	Athletics	Flag Rec	Thorpe	Cogdill	Youth Com	Jay Lively	Comm Ev	
Personnel	\$ 405,455	\$ 192,960	\$ 188,124	\$ 127,945	\$ 117,309	\$ -	\$ 234,611	\$ 27,609	\$
Contractual	41,659	32,081	41,820	40,115	21,145	1,635	147,085	55,753	\$
Commodity	14,495	16,855	27,911	16,589	13,118	1,002	55,875	37,802	\$
	461,609	241,896	257,855	184,649	151,572	2,637	437,571	121,164	\$
Capital	-	-	-	-	-	-	90,842	-	\$
	\$ 461,609	\$ 241,896	\$ 257,855	\$ 184,649	\$ 151,572	\$ 2,637	\$ 528,413	\$ 121,164	\$
Rec Admin allocated		39,387	41,985	30,065	24,680	429	86,039	19,729	\$
Indirect cost allocated		66,989	71,409	51,136	41,975	730	146,336	33,554	\$
Grand Total		\$ 348,272	\$ 371,249	\$ 265,850	\$ 218,227	\$ 3,797	\$ 760,787	\$ 174,447	\$
Revenue		\$ 153,706	\$ 22,287	\$ 26,078	\$ 10,048	\$ 6,029	\$ 323,880	\$ -	\$
Revenue as a % of operating (direct) expense		63.54%	8.64%	14.12%	6.63%	228.63%	74.02%	0.00%	\$
Revenue as a % of total expense after admin allocation		44.13%	6.00%	9.81%	4.60%	158.80%	42.57%	0.00%	\$

Attachment # 7**Field Cost Analysis**

	Fund - BBB/General	Total Acres	Cost per 365 Days
1 Bow and Arrow Park	BBB	0.55	\$ 32.53
2 Guadalupe Park Little League	GF	0.68	\$ 29.52
3 Continental Park Little League Major	BBB	0.91	\$ 31.66
4 Continental Park Little League Minor	BBB	1.00	\$ 35.09
5 Continental Park Little League Youth	BBB	3.51	\$ 109.70
6 Continental Park Little League Senior	BBB	3.51	\$ 105.71
7 Continental Park Little League T-Ball	BBB	0.29	\$ 11.15
8 Thorpe Park Little League Major	GF	0.90	\$ 25.38
9 Thorpe Park Little League Minor	GF	0.90	\$ 26.47
10 Thorpe Park Little League Senior	GF	2.17	\$ 63.25
11 Foxglenn Park East Little League Senior	BBB	2.50	\$ 76.31
12 Foxglenn Park West	BBB	1.71	\$ 51.61
13 Foxglenn Park Soccer #1	BBB	2.50	\$ 75.73
14 Foxglenn Park Soccer #2	BBB	2.50	\$ 75.76
15 Joel Montalvo Park Little League	GF	0.86	\$ 46.97
16 Killip School	BBB	4.60	\$ 139.58
17 Mount Elden Middle School	BBB	3.90	\$ 98.59
18 Arroyo Park Little League	GF	0.82	\$ 51.43
19 Thorpe Park Soccer	GF	3.00	\$ 90.05
20 Thorpe Park Field #1	BBB	2.07	\$ 85.34
21 Thorpe Park Field #2	BBB	2.07	\$ 85.34
22 Thorpe Park Field #3	BBB	2.07	\$ 85.34
23 Thorpe Park Field #4	BBB	2.07	\$ 85.34
24 Thorpe Park Field #5	BBB	2.76	\$ 83.84
25 Sechrist School	BBB	2.50	\$ 94.34
26 Thomas School	BBB	1.12	\$ 61.88
27 Christensen School	BBB	3.00	\$ 109.67
Totals All Fields		54.47	\$ 1,867.58
General Fund total			
BBB Total			
Average Cost per Field per Day			\$ 71.83

* Costs are based off of the comprehensive analysis completed in 2008 that is done ev

** Costs may vary for fields at the same location because of additional work that was pe

Field Cost Analysis

Cost per Usable days (240)	Total Annual Cost
\$ 49.47	\$ 11,872.15
\$ 44.89	\$ 10,774.39
\$ 48.15	\$ 11,555.44
\$ 53.36	\$ 12,806.22
\$ 166.83	\$ 40,039.96
\$ 160.76	\$ 38,582.96
\$ 16.96	\$ 4,069.43
\$ 38.60	\$ 9,265.05
\$ 40.26	\$ 9,662.05
\$ 96.19	\$ 23,085.88
\$ 116.06	\$ 27,854.88
\$ 78.50	\$ 18,839.07
\$ 115.18	\$ 27,643.20
\$ 115.22	\$ 27,652.20
\$ 71.43	\$ 17,143.39
\$ 212.29	\$ 50,948.45
\$ 149.94	\$ 35,985.62
\$ 78.21	\$ 18,771.42
\$ 136.95	\$ 32,869.17
\$ 129.78	\$ 31,147.40
\$ 129.78	\$ 31,147.40
\$ 129.78	\$ 31,147.40
\$ 129.78	\$ 31,147.40
\$ 127.51	\$ 30,603.16
\$ 143.48	\$ 34,434.53
\$ 94.11	\$ 22,587.49
\$ 166.79	\$ 40,028.70
\$ 2,840.27	\$ 681,664.41
	\$ 121,571.35
	\$ 560,093.06
\$ 109.24	

ery 5 years.
rformed (example: replacing infield sod)

ORDINANCE NO. 2012-13

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF FLAGSTAFF AMENDING FLAGSTAFF CITY CODE, TITLE 3, BUSINESS REGULATIONS; CHAPTER 3, USER FEES; SECTION 3-10-001-0005, RECREATION, REVISING J. LIVELY ACTIVITY CENTER FEES.

WHEREAS, the City Council has considered recreational fees and the need for increases to help defray operating expenses; and

WHEREAS, the City Council has previously directed, as part of the Fiscal Year 2012-13 budget process, that J. Lively Activity Center user fees be increased to reflect industry norms;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

Section 1: That Flagstaff City Code, Title 3, Business Regulations; Chapter 3, User Fees; Section 3-10-001-0005, Recreation, be amended as follows:

Section 3-10-001-0005 Recreation

The user fees of the Recreation Division shall be as follows:

Facility or Equipment	Fee per Each Rounded up
ICE ARENA:	
Admissions - Single Entry – each:	
Youth (5-17)	2.75 <u>3.50</u>
Adult (18 & over)	5.25 <u>6.50</u>
Chaperoned Youth Group Participant (10 or more youth, 1:15 ratio)	2.25 <u>2.75</u>
Specialty Session (ex. Scrimmage, Stick ime)	40.50 <u>13.00</u>
Admissions - Punch Cards:	
Youth (20 admissions)	39.00 <u>56.00</u>
Adult (20 admissions)	78.00 <u>104.00</u>
Specialty Session (10 admissions)	78.00 <u>104.00</u>
Arena Rental (<i>Note 1, 8</i>) – hour:	
<i>Non-Public Arena Time:</i>	
Individuals	404.00 <u>166.00</u>
Youth Non-Profit Community Organizations	52.00 <u>79.00</u>
Adult Non-Profit Community Organizations	404.00 <u>166.00</u>

Commercial, For-Profit, or Out of Community Organizations	208.00 <u>250.00</u>
<i>Public Session Arena "Buy Out" Time - hour (entire session only)</i>	
Individuals	not available
Youth Non-Profit Community Organizations	260.00
Adult Non-Profit Community Organizations	520.00
Commercial, For-Profit, or Out of Community Organizations	1040.00
<i>Arena Rental Without Ice (Note 3) (May-Jun subject to avail.) -- hour</i>	
Facility or Equipment	
Individuals	31.25
Youth Non-Profit Community Organizations	15.75
Adult Non-Profit Community Organizations	31.25
Commercial, For-Profit, or Out of Community Organizations	62.50
Spectator Admission (Note 2) - each	
Youth	1.25
Adult	2.25 <u>3.00</u>
Arena Permits	
Concession/Merchandise Table - each, per event	5.25
Party/meeting room hour	
Individuals	16.75
Youth Non-Profit Community Organizations	9.50
Adult Non-Profit Community Organizations	16.75
Commercial, For-Profit, or Out of Community Organizations	31.25
Holiday Rental - Add 25% on fee	
Training Room – hour	
Individuals	14.75
Youth Non-Profit Community Organizations	7.50
Adult Non-Profit Community Organizations	14.75
Commercial, For-Profit, or Out of Community Organizations	29.25
Holiday Rental - Add 25% on fee	no change
Equipment Rental	
Figure Skates	3.25
Hockey Skates	3.25
Skate Rental Punch Pass (20 rentals)	47.00 <u>52.00</u>
Skate Sharpening	5.25 <u>6.50</u>
<u>Same Day Skate Sharpening</u>	<u>9.00</u>

RECREATION CENTERS**Deposit for room / Facility Rentals (refundable)**

Room Deposit (per room)	50.00
Facility Rental Deposit (five rooms or more)	200.00
Club Annual Meeting Permit (during regular hours only)	
1-3 meetings/yr	26.00
4-12 meetings/yr	47.00
13-26 meetings/yr	67.57
27-52 meetings/yr	88.50
53 + meetings/yr	109.25
Room Rental (Note 3, 8) - hour	
Standard Room	
Individuals	16.75
Youth Non-Profit Community Organizations	9.50
Adult Non-Profit Community Organizations	16.75
Commercial, For-Profit, or Out of Community Organizations	31.25
Thorpe Park Community and Senior Center Kitchen	
Individuals	15.75
Youth Non-Profit Community Organizations	8.00
Adult Non-Profit Community Organizations	15.75
Commercial, For-Profit, or Out of Community Organizations	31.25
Thorpe Park Community and Senior Center Allen/plus divided meeting room:	
Individuals	35.50
Youth Non-Profit Community Organizations	17.75
Adult Non-Profit Community Organizations	35.50
Commercial, For-Profit, or Out of Community Organizations	70.75
Cogdill Gymnasium	
Individuals	23.00
Youth Non-Profit Community Organizations	11.50
Adult Non-Profit Community Organizations	23.00
Commercial, For-Profit, or Out of Community Organizations - Tournaments	46.00
.	
Flagstaff Recreation Center Gymnasium	
Individuals	27.25
Youth Non-Profit Community Organizations	13.75
Adult Non-Profit Community Organizations	27.25
Commercial, For-Profit, or Out of Community Organizations	62.50
Recreation Center Equipment Rental	
Disc Golf Discs	1.25/ea
Billiard Set- Adult (18 & over)	1.25/set

Weight Room Annual Pass - each	
Cogdill and Flagstaff Recreation Centers	
Youth (13-17)	15.75
Adult (18 & over)	47.00

Thorpe Park Community and Senior Center	
Youth (13-17)	60.00
Adult (18 & over)	78.00
Senior Citizen - 55 and older	52.00
Adult Pass = \$6.25 per month. Sr. Pass = \$4.17 per month	6.50 / 4.50

OUTDOOR COURTS**Basketball, Handball, Horseshoe, Volleyball - per court per hour*****Reserved Practice and Game Allocations (Note 8)***

Individuals	2.75
Youth Non-Profit Community Organizations	1.50
Adult Non-Profit Community Organizations	2.75
Commercial, For-Profit, or Out of Community Organizations	5.25

Reserved Tournament Rentals

Individuals	5.25
Youth Non-Profit Community Organizations	2.75
Adult Non-Profit Community Organizations	5.25
Commercial, For-Profit, or Out of Community Organizations	10.50

Tennis Courts/per hour/ per court***Reserved Practice and Game Allocations (Note 8)***

Individuals	5.25
Youth Non-Profit Community Organizations	2.00
Adult Non-Profit Community Organizations	5.25
Commercial, For-Profit, or Out of Community Organizations	10.50

Reserved Tournament Rentals/ hour

Individuals	10.50
Youth Non-Profit Community Organizations	5.25
Adult Non-Profit Community Organizations	10.50
Commercial, For-Profit, or Out of Community Organizations	21.00

OUTDOOR FIELDS

Baseball, Softball - per field per hour

Practice and Game Allocations (Note 8)

Individuals	5.25
Youth Non-Profit Community Organizations (per part./per season-\$15/max/fam)	5.25
Adult Non-Profit Community Organizations	5.25
Commercial, For-Profit, or Out of Community Organizations	10.50

Holiday Rental - Add 25% on fee

Tournament Rentals

Individuals	10.50
Youth Non-Profit Community Organizations (per team/per tournament)	5.25
Adult Non-Profit Community Organizations	10.50
Commercial, For-Profit, or Out of Community Organizations (<i>Note 4</i>)	21.00

Soccer - per field per hour*Practice and Game Allocations (Note 8)*

Individuals	5.25
Youth Non-Profit Community Organizations (per part./per season-\$15/max/fam)	5.25
Adult Non-Profit Community Organizations	5.25
Commercial, For-Profit, or Out of Community Organizations	10.50

Tournament Rentals

Individuals	10.50
Youth Non-Profit Community Organizations (per team/ per tournament)	5.25
Adult Non-Profit Community Organizations	10.50
Commercial, For-Profit, or Out of Community Organizations (<i>Note 4</i>)	21.00
Additional Beginning of day Field Prep. [Per Field]	15.75

Field & Court Permits

Concession Stand - per week, per number fields allocated @ site	5.25
Concession/Merchandise Table - each, per event	5.25

Field and Court Lights

Sport Courts - per court, per hour	10.50
Sport Fields - per field, per hour	31.25
Sport Fields - Youth Non-Profit Community Organizations - per field, per hour	10.50

Ramadas*Level A (Bushmaster South, Foxglenn 1, Thorpe)*

Per Hour Charge	10.50
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Level B (Bushmaster North, Foxglenn 2 & 3, Ponderosa)

Per Hour Charge	8.00
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Level C (Buffalo, Kiwanis, Mobile Haven, Old Town Springs, Ponderosa Trls)

Per Hour Charge	5.25
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Equipment Rental - each	
Activity/Picnic Pack	15.75

Special Events/Reserved Areas in Parks (Note 5)

Special Event Application Fee	
"A" Events	41.75
"B" Events	31.25
"C" Events	21.00
Late Fee	
"A" Events	100.00
"B" Events	75.00
"C" Events	52.00

Refundable deposits

A & B Events	350.00
C Events	100.00

Most Sites (excludes Wheeler, Heritage Square, Parking, Street Closure, Ramada Rental)*Half Day 7 Hours or Less*

Individuals/Private Gatherings on City Property	21.00
Non-Profit Community Organizations/Public Gatherings on City Property	41.75
Commercial, For-Profit, or Out of Community Organizations on City Property	83.25

Full Day More than 7 Hours

Individuals/Private Gatherings on City Property	33.50
Non-Profit Community Organizations/Public Gatherings on City Property	66.75
Commercial, For-Profit, or Out of Community Organizations on City Property	135.25

Heritage Square/Wheeler Park*Half Day 7 Hours or Less*

Individuals/Private Gatherings on City Property	47.00
Non-Profit Community Organizations/Public Gatherings on City Property	47.00
Commercial, For-Profit, or Out of Community Organizations on City Property	93.75

Full Day More than 7 hours

Individuals/Private Gatherings on City Property	73.00
Non-Profit Community Organizations/Public Gatherings on City Property	73.00
Commercial, For-Profit, or Out of Community Organizations on City Property	145.75

Event Series - each

Half Day Non-Profit (7 Hours or Less)	
3-6 events	18.75

7-12 events	15.75
13-24	12.50
25+	9.50
Full Day Non-profit (More than 7 Hours)	
3-6 events	25.25
7-12 events	21.00
13-24	17.00
25+	12.75
Half Day Commercial(7 Hours or Less)	
3-6 events	28.50
7-12 events	23.75
13-24	19.00
25+	14.25
Full Day Commercial (More than 7 Hours)	
3-6 events	39.75
7-12 events	33.25
13-24	26.50
25+	20.00
Parking Lot Closure for Events (excludes Wheeler and City Hall Lots)	
<i>Half Day (7 Hours or Less)</i>	
Individuals/Private Gatherings on City Property	23.00
Non-Profit Community Organizations/Public Gatherings on City Property	23.00
Commercial, For-Profit, or Out of Community Organizations on City Property	46.00
<i>Full Day (More than 7 Hours)</i>	
Individuals/Private Gatherings on City Property	36.50
Non-Profit Community Organizations/Public Gatherings on City Property	36.50
Commercial, For-Profit, or Out of Community Organizations on City Property	73.00
Wheeler Park & City Hall Parking Lot Closure for Event	
<i>Half Day (7 Hours or Less)</i>	
Individuals/Private Gatherings on City Property	45.00
Non-profit/Community Organization on City Property	31.25
Commercial, For-Profit, or Out of Community Organizations on City Property	62.50
<i>Full Day (More than 7 Hours)</i>	
Individuals/Private Gatherings on City Property	52.00
Non-Profit Community Organizations/Public Gatherings on City Property	52.00
Commercial, For-Profit, or Out of Community Organizations on City Property	104.00
Street Closure/Parade (Per Street Block)	
Staging Area	25.00
Half Day (7 Hours or Less)	

Non-Profit	10.00
Commercial, For-Profit, or Out of Community Organization – Full Day	
Non-Profit	15.00
Commercial, For-Profit, or Out of community Organization – Overnight (10 p.m. – 8 a.m.)	21.00
Wheeler Park & Heritage Square Electrical Use	
<i>Half Day(7 Hours or Less)</i>	
"A", "B" Events	25.00
"C" Events	13.00
Wheeler Park & Heritage Square Electrical Use	
<i>Full Day (More than 7 Hours)</i>	
"A", "B" Events	41.75
"C" Events	21.00
Event Series - each Electrical Use	
<i>Half Day (7 Hours or Less)</i>	
"A", "B" Events	
Full Day (More than 7 Hours)	
"A", "B" Events	18.00
Event Equipment Rental - each, per event day	
Banner poles (pair)	5.00 per pair
Downtown Banner (Note 7) - each	
<i>North Downtown</i>	
C Pricing (Outlining Areas)	
1-3 month display	21.00
4-6 month display	31.25
7-9 month display	41.75
10-12 month display	52.00
A Pricing (Premium)	
1-3 month display	32.00
4-6 month display	48.00
7-9 month display	63.00
10-12 month display	79.00
B Pricing (Mid-Range)	
1-3 month display	25.00
4-6 month display	38.00
7-9 month display	50.00
10-12 month display	63.00
South Downtown	
4-6 month display	32.00

7-9 month display	48.00
10-12 month display	79.00

SECTION 2: That the City Clerk be authorized to correct typographical and grammatical errors, as well as errors of wording and punctuation, as necessary; and that the City Clerk be authorized to make formatting changes needed for purposes of clarity and form, if required, to be consistent with Flagstaff City Code.

PASSED AND ADOPTED by the City Council and approved by the Mayor of the City of Flagstaff this _____ day of _____, 2012.

MAYOR

ATTEST:

CITY CLERK

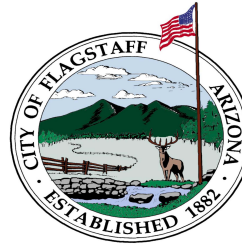
APPROVED AS TO FORM:

CITY ATTORNEY

7. A.

**CITY OF FLAGSTAFF
STAFF SUMMARY REPORT**

To: The Honorable Mayor and Council
Submitted By: Elizabeth A. Burke, City Clerk
Date: 08/29/2012
Meeting Date: 10/02/2012



TITLE

Discussion Item: Flagstaff Children's Memorial Park

RECOMMENDED ACTION:

Discussion

INFORMATION

At the 09/18/2012, Council Meeting, Councilmember Barotz requested that this item be placed under Discussion Items to see if there was a majority of Council interested in placing it on a future agenda for consideration.

Attachments: Map

Form Review

Form Started By: Elizabeth A. Burke

Started On: 09/20/2012 04:12 PM

Final Approval Date: 09/20/2012



JLB PROJECT MEMORIAL

SITE LOCATION AND CONCEPT PLAN

7. B.

**CITY OF FLAGSTAFF
STAFF SUMMARY REPORT**

To: The Honorable Mayor and Council
Submitted By: Elizabeth A. Burke, City Clerk
Date: 08/29/2012
Meeting Date: 10/02/2012



TITLE

Discussion Item: Request for Proposals for Core Services Maintenance Facility

RECOMMENDED ACTION:

No recommendation

INFORMATION

Attached please find a related memorandum.

Attachments: Memo

Form Review

Form Started By: Elizabeth A. Burke

Started On: 09/28/2012 12:26 PM

Final Approval Date: 09/28/2012



To: Mayor and City Council

From: Erik Solberg, Public Works Director

C: Kevin Burke, Jerene Watson, Josh Copley, Rosemary H. Rosales

Date: September 28, 2012

Subject: **Response to Request for Proposals No. 2012-49 Regarding
Purchase of Land for Core Services Maintenance Facility**

This memorandum is to provide information related to the Council's consideration of the response submitted by F.W. Thompson to Request for Proposals ("RFP") No. 2012-49. RFP No. 2012-49 is for the purchase of property for the Core Services Maintenance Facility. F.W. Thompson's proposal identifies certain parcels of land located on the northwest corner of West Kaibab Lane and South Thompson Street. The total size of the parcels is 16.75 acres. Staff has determined that the proposal submitted by F.W. Thompson meets the City's evaluation criteria set forth in the RFP.

The City has been in need of a new Core Services Maintenance Facility for many years. The City has outgrown the existing facility and core service operations are scattered throughout the City. In 2010, Council approved a bond initiative to construct a new facility on McAllister Ranch located on West Rt. 66. The bond question was for a total dollar amount of \$42 million to build the new facility, which included all new infrastructure (e.g., water, sewer, electricity, as well as Rt. 66 road improvements for traffic flow). This measure was not approved by the voters. At the April 2012 Budget Retreat, the project was discussed and Council approved setting budget authority for the project. The Council then voted on July 17, 2012, to approve the measure for a November election through Resolution 2012-30.

The existing Core Services Maintenance Facility is located at 419 N. Mogollon, Flagstaff, Arizona. The facility was originally built as a horse barn for the Army Corps of Engineers and was later purchased by the City of Flagstaff and used as a Public Works yard. Over the years, there have been numerous structures built on this property as growth dictated. The existing facility is not adequate to maintain the numerous vehicles and equipment necessary to provide core services.

The City issued a Request for Proposals ("RFP") and one (1) proposal response was submitted by F.W. Thompson. The RFP outlined five (5) evaluation criteria as follows: Location (20%); Quality of on-site and off-site infrastructure of utilities and roadways (20%); Usable existing facilities that would interact with the Public Works function (20%); Possible phased approach to purchase land (10%); and Possible purchase of current City owned property (30%).

Staff determined that the proposal submitted by F.W. Thompson is the sole proposal responsive to the City's request for proposals. The proposal consists of the purchase of 16.75 acres of land and improvements located in the area generally described as the northwest corner of West Kaibab Lane and South Thompson Street for \$15,825,012, contingent upon the following terms: 1) negotiation of a purchase agreement acceptable to the City Council and the property owners; 2) voter approval of bond funding.

Staff believes that this proposed property purchase will provide the necessary acreage for the new Core Services Maintenance Facility and some structures to house Fleet Maintenance and Public Works. In the Fiscal Year 2013 budget, the City has appropriated \$28,295,000 in account 403-2418-691-4104 for the Core Services Maintenance Facility. Execution of this purchase is contingent upon voter approval on November 6, 2012, of Ballot question 406. If this bond initiative is approved by the voters, bonds in an amount up to \$14,000,000 will be sold to acquire the property and additional infrastructure. In addition to bonds being sold, the City intends to sell two pieces of City-owned property and reinstitute the \$2.50 per ton Landfill surcharge to help support the overall project.

Specifically, this property purchase for the new Core Services Maintenance Facility will provide maintenance and support of the delivery of core City services and programs including: street maintenance, snow plowing and clearing operations, drainage maintenance, pothole and street sweeping; residential and commercial trash and recycling collection, and bulky trash collection; maintenance of all City vehicles and equipment, including fire, police, streets, solid waste, and water and wastewater department vehicles; and maintenance operations for all City parks and athletic fields.

After staff determined that the proposal from F.W. Thompson for the purchase of 16.75 acres met the evaluation criteria set forth in the Request for Proposals issued by the City, the City began negotiating purchase terms. Staff intends to present a final purchase agreement to the Council for consideration at the October 16, 2012, Council meeting, and award the RFP at that time as well. It should be noted that the City is currently negotiating with F.W. Thompson regarding the specific terms of the agreement. Also, the agreement with F.W. Thompson will be contingent upon voter approval of the bond measure in November 2012.